

## **EXPENSIVE FEDERALISM: UNICAMERAL OPTION FOR NIGERIA?**

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### **ABSTRACT**

*To guarantee the independent of the divisions of governmental powers and functions among the three arms, the doctrines of “separation of powers” and “checks and balances” became important features of presidentialism. Thus, the 1979 Nigerian constitution combined two political architectures of presidentialism and federalism which are considered to be highly expensive, this was later retained by the 1999 constitution. Legislative institutions, in particular, are an area in which countries have a variety of choices. How should legislators be selected? What powers should be attributed to the legislature? These are only some of the issues that require resolution before a legislative body can act. An additional key decision concerns the structure of the legislature itself: should the country adopt one legislative chamber (unicameral) or two (bicameral)? Most federations have adopted bicameral federal legislatures. This has led to the notion held by some that bicameral federal legislatures are by definition a characteristic feature of a federation. However, the members of National Assembly have been under severe attacks from the Nigeria public, civil society organizations, political and social activists for appropriating bogus revenue to themselves over the years, questions about why the lawmakers got so much, amid rising overheads in the national budget, became inevitable. Different suggestions and recommendations have been promoted by the public, interest groups and the media on how best to reduce cost of governance and to ensure effective National Assembly. One of such suggestions is the adoption of Unicameral in Nigeria- the scrapping of the senate. Thus, this study examined how best to reduce cost of governance in Nigeria as it relates to the Nigeria National Assembly. The relationship between federalism and bicameralism was also investigated and if unicameral legislature is feasible in Nigeria.*

**Key Words:** *Federalism, Bicameralism, Unicameralism, Presidentialism.*

### **Introduction**

Countries across the world have, at one time or another, wrestled with the question of how to design political institutions that best support an open, stable and prosperous society governed by the rule of law, the results of these debates are generally reflected in a country constitution, in which citizens establish their governing institutions (National Democratic Institute, 1998). (Kousoulas, 1975) lent his credence to the tripartite political administrative division of governmental functions. He viewed that all contemporary states, in practice, have three branches

of government responsible for carrying out the basic functions of government (Kousoulas, 1975). According to him, one set of officials has the primary function of enacting laws, another set of officials implement state policies and decisions while the third settles disputes and punishes those who contravene the law of the land (Ibid). To guarantee the independent of the divisions of governmental powers and functions among the three arms, the doctrines of “separation of powers” and “checks and balances” became important features of presidentialism. Thus, 1979 Nigerian constitution combined two political architectures of presidentialism and federalism which are considered to be highly expensive. Federalism has been widely accepted as a form of political organization amongst countries with diverse and multi-ethnic nationalities, Nigeria inclusive. Beyond the ethnic and cultural diversities that necessitated Nigeria to adopt federalism as a political organization, Nigeria’s choice can also be explained by her population size, land mass, imposition by Britain-Nigeria colonial master and the quest for even development. Federalism entails the replication of governmental structures at the centre, sub-national and local governments.

The antagonists of federalism are of the view that the cost of duplications of these functions at national and sub-nationals level are too expensive especially for the developing country like Nigeria. The 1999 Nigeria constitution shared the governmental power between and among the tiers and organs of governments. The Executive power at the centre is vested in the hands of President his vice and appointed ministers, forming the cabinets, head of departments and agencies, the Judicial power is vested in the courts headed by the Chief Justice of Nigeria and Supreme Court has the last appellate court in Nigeria, the legislative power is vested in the National Assembly, comprising the Senate and House of Representatives, thus, Nigeria belongs to the “league of bicameral legislature”. Bicameralism is one important feature that has become tradition ever since the independence of United State. Consequently, new federal states modelled to the idea of bicameral legislature has institutionalised by the United State of America. However, unlike the USA, where 49 out of the 50 states have bicameral legislature, the 1999 Nigeria constitution provided for a unicameral legislature in all the 36 states of Nigeria federation. The legislature as one of the three main organs of government in a democratic state enacts laws for the country or a part of it, the idea was that of direct democracy where every

adult citizen directly represented himself in all meetings of the Greek city states is no longer possible, thus, the idea of direct democracy was abandoned for representative democracy (Okoosi-Simbine, 2007: 2). The history of legislative government and constitutionalism in Nigeria, as most developing countries, has been a chequered one. The British colonial government produced various constitutions for Nigeria in 1922, 1933, 1946, 1951, 1954 and 1960 (Okoosi-Simbine, 2007: 2). The first legislative body in Nigeria was established in 1923- the Nigerian Legislative Council which extended franchise to only Lagos and Calabar under the Clifford constitution, thus, Nigeria started as a unicameral legislature while still under British colonial rule. The country had a unicameral arrangement at the federal level up to the 1954 Lyttleton Constitution. It, however, adopted a bicameral structure at independence. This arrangement was maintained in the 1979 and 1999 constitutions (Oni, 2013: 27).

Recently, the members of National Assembly have been under severe attacks from politicians, Nigeria public, civil society organisations, political and social activists for appropriating bogus revenue to themselves over the years. With the Nigerian public increasingly scrutinizing the spiralling annual allocations to the National Assembly, questions about why the lawmakers got so much, amid economic recession, unpaid workers salary by states, overheads in the national budget became inevitable (Udo, 2015). The former Governor of the Central Bank of Nigeria (CBN) and current Emir of Kano, Lamido Sanusi had said expenses by the National Assembly accounted for about 25% of the total overhead cost by the federal government. Femi Falana, a Senior Advocate of Nigeria asserts that “of the three arms of government; the National Assembly is viewed by majority of Nigerians as the most corrupt and wasteful”. The controversies rocking the House of Representatives over the padding of 2016 budget is another case of corruption at the National Assemble. Against this backdrop, this paper examines cost of governance in Nigeria as it relate to the Nigeria National Assembly. The relationship between federalism and bicameralism was investigated and if unicameral legislature is workable in Nigeria. The rest of the paper is divided into five sections. The next section defined the main concept in the paper- federalism, bicameralism and unicameralism. The third section attempts a theoretical exposition of the relationship between federalism and cameral choice. The third illustrate the cost of maintaining the Nigerian National Assembly. The next section engages the possibilities of

adopting unicameral legislature in Nigeria. We also examine alternative option for Nigeria and finally, the concluding remarks.

### **Defining terms**

This discourse would be better understood when particular concepts central to the study are defined. Such concept includes federalism, Bicameralism and Unicameralism. Federalism as defined by (Riker, 1964) is political organisations in which the activities of government are shared between sub-regional governments and a central government in such a way that that each kind of government has some activities on which it makes the final decision (Riker, 1964). It's a political structure in which two or three tiers (In case of Nigeria, 1999 Constitution) of government control the same territory and citizens. Laws are made by and resources divided between provincial, territorial or state governments and the central government (Nigeria, 1999 constitution). Federal systems are often bicameral, with the upper house typically representing state or regional interests in the national legislature (King, 1982). Some powers are shared between the two levels of government. The balance of power between the two levels of government varies from country to country—US, Germany and Nigeria represents strong federal systems cut (National Democratic institute, 2007). In Nigeria, the federal constitution is characterized by a strong Union (central) government with sole jurisdiction over matters of revenue sharing, defence, foreign affairs, minimum wage, railways, currency and banking, customs and excise Duties. The Nigeria National Assembly shares lawmaking powers with sub-national legislatures of 36 states (Unicameral) in areas including economic and social planning, education, health and social security. When there are conflicts of powers, it is the decisions and laws of the National Assembly/ central government that take precedence.

A bicameral legislature is composed of two-chambers, usually termed the lower house and upper house (UNDP, 2005). The lower house (with such names as the House of Representatives, House of Commons, Chamber of Deputies and Federal Assembly) is usually based proportionally on population with each member representing the same number of citizens in each district or region (Cutrone and McCarty, 2009:1-38). Upper chambers tend to be the smaller of the two legislative bodies (Omotola, 2014: 25). The upper chamber (sometimes called the Senate, House of Lords

or Federal Council) varies more broadly in the way in which members are elected /selected, including inheritance, appointment by various bodies and direct and indirect elections (Oni, 2013: 25-26). In direct elections, voters cast their ballots directly for a specific candidate or for the party they wish to see in power, with indirect polls, electorates elect local or provincial governments, who then in turn select the upper house members, chambers formed by direct or indirect elections, unlike appointed or heredity chambers, are more accountable to the people and, for that reason, are deemed to be more democratic (UNDP, 2005).

The authority, power and functions of the two chambers in bicameral legislatures vary widely among countries, some countries, such as the United Kingdom, utilize a "weak" form of bicameralism, in which one chamber enjoys superior legislative powers- asymmetric Bicameralism (Tsebelis and Money, 1997). The degree of predominance differs from system to system. Some upper chambers have the power to delay or review legislation adopted by lower chambers, while the duties of upper chambers in other legislatures are solely consultative (NDI, 1998). The United States and Nigeria, for example, employ a "strong" form of bicameralism in which both chambers possess equal or offsetting powers and legislation must be received and approved by both houses- Symmetric Bicameralism (Tsebelis and Money, 1997). One-chamber or unicameral legislatures have most often been established in countries with a centralized, or unitary structure and in small, more homogenous countries (Edosa and Azelama, 1995; Abonyi, 2006). Countries with unicameral systems include Costa Rica, Ghana, Portugal, Hungary, Iceland, Sweden, Slovenia, Uganda and New Zealand (Oni, 2013: 25-133 and NDI, 1998). While constitutional structures have varied a great deal in countries that have transitioned to democratic systems over the past decade, one trend that seems fairly consistent is that smaller (both in Population and Land size) countries chose unicameral legislatures (Watt, 2008).

### **Federalism, bicameralism and unicameralism: An exposition**

Legislative institutions are an area in which countries have a variety of options to choose from. An important key decision concerns the structure of the legislature itself: should the country adopt one legislative chamber (unicameral) or two (bicameral) (National Democratic Institute, 1998: 2). The legislative powers, process and means of membership, these are only some of the

issues that require resolution before a legislative body can act. While the question of cameral selection is not easily resolved, experience over the last century has helped to reveal the strengths and weaknesses of each model, although historical, cultural and ultimately political factors specific to a particular country will influence this decision, the experience of other countries provides a useful basis on which to determine whether a bicameral or unicameral model better serves the current needs and future goals of that country (National Democratic Institute, 1998: 2). Most federal states have adopted bicameral federal legislatures. This has led to the notion held by some that bicameral federal legislatures are by definition a characteristic feature of a federation (King, 1982: 44; Amellier, 1966: 3). Amellier, for instance argued a priori that “In federal states no choice (between unicameral and bicameral systems) is open because (federations) are by definition two-tier structures (Watts, 2008: 1). The association between federalism and bicameralism is founded on the solid historical evidence (Ibid). A second chamber based on territorial considerations, was created upon the founding of the United State’s federation and the system was replicated in virtually all the subsequent federations, the European confederations such as Switzerland and Germany also adopted an upper an upper house based on territorial considerations (UNDP, 2005).

Bicameralism understood as a second chamber representing constituent units is largely predominant among the federal states (Watts, 2008; Tarr, 2010). The statement that only federations have a bicameral legislature is not totally correct

**Table 1: Distribution Of Legislatures By Governmental System**

<b>Variables</b>	<b>Governmental</b>		
	<b>Unitary</b>	<b>Federal</b>	<b>Total</b>
<b>Cameral structure</b>			
Unicameral	54	1	55
Bicameral	12	16	28
<b>Total</b>	<b>66</b>	<b>17</b>	<b>83</b>

Source: Inter-Parliamentary Union, 1986, cited in NDI, 1998.

As King (1982: 94) notes, a great many non-federal states have featured legislatures divided into

two or more bodies. For instance, the British, French, Dutch and Japanese parliaments are just a few of the many non-federal states that are bicameral or multi-cameral (Russell, 2000). Watts, 2008, opined that to suggest all federations have bicameral legislatures is mistaken. Indeed, of some 24 current federations generally so identified (Griffiths, 2005), five do not have bicameral legislatures: these are the United Arab Emirates, Venezuela, and the small island federations of Comoros, Micronesia, and St. Kitts and Nevis (Watts, 2008). Even where there has been a federal second legislative chamber the principle of equality of representation of the constituent units of a federation in a second federal chamber has not been universally applied, among the many exceptions are Canada, Germany, Austria, India, Malaysia, Belgium and Spain (Watts, 2008). It would seem, therefore, that it is inappropriate to regard a bicameral federal legislature as a definitive characteristic of federations (Tarr, 2010).

Although, it is true that not all federations have bicameral legislatures, the principle of bicameralism has been incorporated into the federal legislatures of most federations. Most federations have found a bicameral federal legislature to be an important institutional feature for ensuring the entrenched representation of the regional components in policy-making within the institutions of “shared rule” that are an important element for the effective operation of a federation. In a survey conducted by international parliamentary union in 1986, they found out that Federal systems almost always have bicameral legislatures; in fact, results of a 1986 survey depicted in Table 1 found that more than 94% of federal systems utilize bicameral legislatures. These countries are usually geographically expansive with large populations, although, there are exceptions, such as Switzerland (NDI, 1998). Diverse elements in these countries often compete for limited government resources and for representation in the political process, a second chamber facilitates more balanced representation among competing groups by providing a political outlet to those outnumbered or underrepresented in the lower chamber (Ibid).

Another indicator that necessitated the adoption of bicameralism is population size, Organization for Economic Co-operation and Development (OECD) study revealed that Eleven (11) of the thirteen OECD countries with populations above twenty million are bicameral (85%), five are also federal (Library and Research Service, 2012). There are seven OECD countries with

populations between ten and twenty million, four of these are bicameral, one (Belgium) is also federal, only four of the fourteen OECD countries with populations of less than ten million are bicameral, two are also federal- Austria and Switzerland (Ibid). Ireland and Slovenia are the only small (population less than 10million), unitary states with bicameral parliaments in the OECD (Library and Research Service, 2012). In other words, we can suggest that federalism and population size are the “collaborating factors” for bicameralism. The country size in terms of land mass has also been a reason for adoption of bicameralism. A study by the international parliamentary union shows that out of the ten (10) largest countries in land mass, only china is unicameral and unitary.

However, Critics of federalism and bicameralism who emphasize the majoritarian essence of democracy as “rule by the demos, have noted particularly that most federations have established bicameral federal legislatures weighted in differing degrees to favour the smaller constituent units, thus, violating a cardinal principle of democracy based on one person one vote, consequently, they characterize such federal second chambers as “demos-constraining” (Riker, 1982; Stepan, 2004, cited in Watts, 2008). A well-established proposition in the extant literature of institution argues that federal states tend to take a slow reform path, among other typical federal institutions, the second chamber (the Senate) common to federal system (Stepan, 1999) has been described as particularly important for creating opportunities to veto policy change (Tsebelis and Money, 1997). The senate not only hampers institutional changes by contributing an additional decision making to democratic deliberations (Tsebelis and Money, 1997), but at the same time it adds a significant sub-national veto to legislative processes (Rodden, 2006; Stepan, 1999). The senate is described more often than not as the legislative body where sub national elites are entitled to protect constituent unit rights and block changes that may impinge upon sub-national rights (Arretche, 2010: 10-31).

**Table 2: Largest Countries (By Area) and Cameral Structure**

<b>Country</b>	<b>Cameral structure</b>	<b>Federal/Unitary</b>
Russia	Bicameral	Federal
Canada	Bicameral	Federal
U.S.A	Bicameral	Federal



China	Unicameral	Unitary
Brazil	Bicameral	Federal
Australia	Bicameral	Federal
India	Bicameral	Federal
Argentina	Bicameral	Unitary
Kazakhstan	Bicameral	Unitary
<u>Sudan<sup>1</sup></u>	<u>Bicameral</u>	<u>Unitary</u>

Sources: Inter-Parliamentary Union (2012).

Because of the supposed influence of sub-national elites on senators behaviour, as well as the supposed association between federal states and bicameralism, an influential proposition associated with federalism argues that proposals for institutional reform will be more difficult to approve: federalism equals a strong senate, which equals sub-national veto power, which leads to the preservation of the status quo (Arretche, 2010: 10-31).

In an attempt to find out how bicameralism affects institutional changes, Arretche (2010) used constitutional amendment as a proxy in the 32 bicameral chambers studied. She opined that only bicameralism appears to systematically reduce the rate of constitutional amendment. The evidence illustrates that bicameralism tends to be a better predictor of constitutional stability than federalism. Federalism doesn't necessarily act as a constraint on institutional change is the finding that all of the bicameral cases that are associated with high rates of constitutional amendment are also federal states, including Brazil, India, and Malaysia etc. On the effect of bicameralism on central government spending, Crepaz and Moser (2004) analyzed 15 countries of the OECD for 17 years and discovered that bicameralism has a negative effect on the consumption of the central government. Thornton and Ulrich (1999) found a negative effect of bicameralism on government spending in several states of the USA. Heller (1997) offers an important study on this theme. His study verified that bicameral countries tend to present higher budget deficits. The author's argument is that given the fact the budget has to pass in two houses, a bicameral parliament forces the government to include more spending in its budget (Neiva, 2009). The aforementioned argument is normally the case in Nigeria, where the senate in most times increased the amount in the appropriation bill submitted by the executive. In most cases, they increased their own budgets.

### **Is Nigeria legislature expensive?**

The Nigerian Senate and House of Representative consist of 469 members combined. The senate has 109 members, three each from the 36 states and one from Federal Capital Territory and 360 House of Representatives members, based on proportional representation using population. Over the years, the Nigeria public has accused the members of National Assembly of jumbo pay. They alleged that the legislators appropriated to themselves very large sums of money not minding the fact that the country is in economic recession. The former president, Olusegun Obasanjo described the members of National Assembly as a rogue and an assemblage of corrupt individuals. Some critics of national assembly lashed back at president Obasanjo arguing that he actually corrupted the national legislative organs especially during the debate for appropriation bill (Budget) through bribery, kickbacks and rent seeking or what is refer as “brown envelope or Ghana must go” in Nigerian parlance. The National Assembly budget in 2003 total was about N23.347 billion, the next year, the figure rose to about N32.229 billion (2004) and then N55.422 billion in 2005, dropped to N39.810 in 2007, rose from N66.488 billion to a shocking N104.825 billion in 2008, before dropping marginally to N96.052 billion in 2009, by 2010, the allocation had a geometric jump, skyrocketing to unprecedented levels to a peak of about N154.2 billion (Udo, 2015). According to government’s medium term expenditure framework, by the end of 2016, the national assembly would have spent 1.2 trillion naira (Ekott, 2014). The National Assembly failed to account for a total expenditure of over 9.4 billion naira in 2014 according to a recently released audit report by the office of Auditor-General of the federation (Ovuakporie, 2016). Moreover, the Economist publication in 2013 revealed that Nigerian legislator receives an annual salary of about \$189,000, equivalent of N30 million, which is 116 times the country’s gross domestic product (GDP) per person. This figure is surpassed only by Australian lawmakers, who receive \$201,200 annual salary which is only three 3 times their country’s GDP per person. The magazine further put salaries collected by Nigerian senators and members of the House of Representatives way ahead of those received by fellow parliamentarians in the 29 countries it analysed (The Economist, 2013) in terms of volume of cash earnings, the Nigerian legislators were several thousands of dollars ahead of their counterparts in Britain who take \$105,400 yearly, as well as those in the United States (\$174,000), France (\$85,900), South Africa (\$104,000), Kenya (\$74,500), Saudi Arabia

(\$64,000) and Brazil (\$157,600). However, when looked at in terms of ratio of GDP per capita, the gap is even much wider because while the Nigerian lawmaker's salary is 116 times the country's GDP per person, that of his British counterpart is just 2.7 times (The Economist, 2013).

In a cost vis-à-vis performance, most of the members of parliament are just in the hallow chambers to add to the number. It was reported at the end of 7th Assembly that out of 360 member House of Representatives a staggering 191 members (leading the pact is the present Deputy Speaker of the 8th Assembly, Hon. Yusuf Lasun) didn't sponsor or initiate any bill in the house in the period under review (Ugwuanyi, 2015). By May, 2015, a month to the end of their tenure, the 7th assembly passed a total of 108 bills into law, of the 1068 bills sponsored (excluding the scandalous passage of 49 bills by the senate into law under 10 min a day to the end of 7th Assembly) and brought to its legislative attention in four years, comparing to the United States Congress, the two chambers passed 604 in 1999, 460 between 2007 and 2008, in 2014/2015 they were able to pass 297 bills (Ugwuanyi, 2015). The performance of Nigeria National Assembly fares very abysmal when juxtaposed with their America counterpart (Ibid). Yet a good number of the bills passed are mainly executive-sponsored, made up of appropriation (budgetary) and supplementary appropriation bills as well as bills authorizing the Presidency to borrow loans. Hence, expert bills and public interest bills did not feature much. With the combined annual budget of N150 billion since 2011 when it was inaugurated, it means that they averaged approximately two bills per month. The major reason responsible for the poor performance of Nigeria National Assembly is their penchant to embark on incessant adjournments and recesses (Ugwuanyi, 2015).

On ways to reduce the cost of governance, ensure prudent management of resources and effective legislature; reduction in lawmakers' salary and allowances, part-time legislature and the scrapping of the senate had been canvassed. The lawmakers have either denied the jumbo pay or defended the amount been paid to them. Reacting to the allegation, the spokespersons of both the Senate and House of Representatives in 7th Assembly, The Chairman, Senate Committee on Information and Media, Senator Enyinnaya Abaribe, said the report was

misleading and incorrect. According to him, “The report is not correct because it did not emanate from the RMAFC, because that is the only body that determines what a lawmaker earns” (ibid). Speaking in the same line, spokesman of the House of Representatives, Mr. Zakari Mohammed, dismissed the report as incorrect, mere exaggeration and inaccurate (ibid). Weather the amount been appropriated is overhead cost combined with the salaries and allowances, the 150Billion Naira annual budget for the National Assembly is outrageous and scandalous when compare to economic recession occasioned by drop in oil prize at international market, high rate of unemployment, illiteracy, poverty and a nation with yearning and in need for infrastructural development.

#### **Unicameral in Nigeria: How feasible?**

Different suggestions and recommendations have been promoted by the public, interest groups and the media on how best to reduce cost of governance and to ensure effective National Assembly. One of such suggestions is the adoption of Unicameral in Nigeria- the scrapping of the senate. Unicameral are one house legislature popular among unitary states and tend to occupy smaller geographic areas and possess smaller populations as compared to their bicameral counterparts (Omotola, 2014). Unicameral is usually designed for potential to enact proposed legislation rapidly (since only one body is needed to adopt legislation thereby eliminating the need to reconcile divergent bills); greater accountability (since legislators cannot blame the other chamber if legislation fails to pass, or if citizens interests are ignored); fewer elected officials for the population to monitor; and reduced costs to the government and taxpayers. Another important feature of unicameral is that there are mostly homogenous states, that is, states with one major ethnic group since it is believe that no country is populated by single ethnic group (NDI, 1998).

Despite the benefits inherent in unicameral, federal states tend to believe it is incompatible with federalism. Available literatures on cameral study reveal that federal states tend to adopt bicameralism. The question now is why federalism is almost in synonymous with bicameralism? To answer the question, we must find out the basic rationale for adopting a federal system in first instance. Most, if not all federal states are multi ethnic with diverse

nationalities competing for the control of resources and access to political power. To ensure even representation of all nationalities in a federation, bicameral is seen as a means to guaranteed inclusiveness and representation in governance process. Besides the aforementioned necessity of bicameral in federal states, it facilitates a deliberative approach to legislation, hinder the passage of flawed or reckless legislation, and provide enhanced oversight or control of the executive branch.

**Table 3: Comparative Analysis of Population to a Parliamentarian in Four Federal Countries**

<b>Count ry</b>	<b>No of MP in Upper Chamb</b>	<b>No of MP in Lower Chamber</b>	<b>Total No of Members of</b>	<b>Total Populatio n (2015 Projectio</b>	<b>Tota l Pop Total of</b>
Brazil	8	5	5	204	343,43
India	2	5	7	1.2	1,509,
Nigeri	1	3	4	183	390,19
U.S.A	1	4	5	321	600,00

Sources: Author’s Calculation.

The argument of the antagonists of bicameralism in Nigeria in particular and the world in general is that it is too expensive to manage. To reduce cost, some countries have scrapped the upper chamber and divert such fund to sector(s) of the economy that need urgent attention. For instance, In January 2012 the Public Accounts Committee in Republic of Ireland was informed that the abolition of the Seanad (upper house) could result in savings up to €2.5million, direct costs of €0.2 million (Senators salaries, allowances and staff) could be saved immediately with indirect costs saved over time (Ibid).Senegal abolished the senate of 100 members as part of moves to help the victims of floods. Senegal will save \$15m (BBC News, 2012). The two countries are however, unitary states.

As mentioned earlier, all subsequent federal states modeled their federal system to that of United State of America, thus, bicameralism is seen as important ingredient of federalism. Federalism apart, the population size and the land mass of a country tend to dictates the choice of her cameral option. Nigeria, a federal state with a land mass of 923,768 (ranked 32nd in the world), a

projected population of 183 million in 2015 (7th in the world) and most diverse country in the world with over 400 ethnic groups have all characteristics or factors that can necessitate the adoption of bicameralism. Those that argue in support of a federal-unicameral combination have opined that the Nigeria adopted this system during the first republic 1960-1966 before the military coup, hence, unicameralism with federalism is not new to Nigeria governance experiment. Moreover, the first republic witnessed the three later four strong regional governments and a central federal government with unicameral at the federal level and bicameralism at the regional level. The proponent of 1979 constitution believed since Nigeria had decided to move towards the U.S type of presidential system, anything that would ensure its effectiveness must be copied in Nigeria, including the bicameralism.

One of the challenges facing the Nigeria state is how to balance the need for an inclusive government, a representative democracy and a reduction in the cost of governance. Over the years, in a bid to ensure equitable representation of all ethnic nationalities in the country, the Nigeria state tends to duplicate functions to accommodate minorities' agitations. The military coup of 1966 and the civil war that erupted truncated the Nigeria Parliamentary experience. Hence, the makers of subsequent constitutions in Nigeria have maintained that the Nigeria Unity is only guaranteed in a federal/presidential system. Besides, the counter coup that crumbles the military government of General Aguiyi Ironsi was alleged to be the consequences of his unitary decree that would have returned Nigeria to a parliamentary state.

### **Alternative option(s)**

Table 3, is a comparative analysis of the population of three other federal states with the total number of their parliamentarians in both houses of Brazil, India and United States of America. Another common characteristic among these countries is that, they all belong to the league of the 10 most populous countries in the world. However, it must be stated inter alia that, there is no international law or convention that dictates to independent states on the total number of parliamentarians that can make composition of the legislative arm of a state. Each state has the discretion as to cameral option, composition and tenure of members of legislature base on domestic politics, culture and quest for democratic inclusiveness. Table 3, shows the total

number of parliamentarians in the countries and a member of parliament to a certain population. The aim is to find out if Nigeria population is over represented at the National Assembly compare to other federal states with similar characteristics. As shown in Table 3, a member of parliament is to 1,509, 433 people in India, the largest democracy in the world. 600,000 people per a parliamentarian in U.S.A, and only 390,191 people to a parliamentarian in Nigeria. Brazil has the lowest parliamentarian/population with 343,434. This shows that Nigerians are over represented in the National Assembly when compared with that of India and United States of America. Moreover, given the level of economic development of U.S and the fact that the U.S is the inventor of presidential/ federal system, her capability to finance the cost of governance is not in doubt. Notwithstanding the economic, social and political development disparity between U.S and Nigeria, even at that, Nigeria is over represented compare to the U.S.

Supporters of the status quo may argue that Nigeria been one of the most diverse countries in the world in terms of ethnic configuration, there is the need to ensure minorities' inclusiveness and to strengthen participatory and representational democracy among the all ethnic divides. The reality is that, the major ethnic groups in some states of the federation where there is more than one ethnic group still manipulate the process and have ways of dominating other group in their states for seats at the National Assembly that is, the intention of representation is been defeated in some instances. This is evident by the process in which the constituencies are demarcated. Furthermore, given the frequent agitations for more states, any additional state(s) creation will increase the number of members, if not in the House of Representatives, at least at the Senate. Another possible option is the adoption of part-time legislature with the current bicameral legislature. The benefit inherent in the part time legislature is that the legislators reconvene only to deliberate on issues that of national importance and that require urgent considerations. Ultimately, it reduces the cost incur in maintaining a regular legislative house(s). While full-time legislature requires the most time of it members, the part-time legislature requires them to have other sources of income. The legislators have argued that Nigeria ,democracy is still nascent and it require the functioning of all other tiers of government to checkmate the power of the executive particularly that of the president, which is consider to be enormous. Politics is considered as a Profession especially among the elites. A part time

legislature may be viewed as a way to block them off the national cake.

### **Conclusion**

This paper has shown that federalism and bicameralism is like a Siamese twin that can't be separated. In the case of Nigeria, the dwindling oil revenue occasioned by the fall of oil price at the world market, the posture of Nigeria National Assembly as a corrupt arm of government, the allegation that the National Assembly appropriated a jumbo salary and other outrageous allowances to itself not considering the poor situation of Nigeria economy and the abysmal performance of Nigeria legislators in terms of bill output and quality of debates have all increased the tempo for the calls in the reduction in the salary and allowances of lawmakers, a part-time legislature or a unicameral National Assembly. Over the years, Nigeria has to contend with the problem of how to ensure a balance between the need for inclusive governance, representative democracy and the over bloated public and civil servants. The Nigeria elites have a way of hijacking the governance process of the country, which any meaningful adjustment doesn't reflect in the political and economic development of the country. While some citizens consider bicameralism as a waste of resources and don't make any sense out of two chambers legislatures when most Nigerians are poor. The normal narratives among Nigerians are that bicameralism is just to ensure the sharing of the national cake goes around. The members of National Assembly- past and present have not been able to change the perception of most Nigerians-particularly among un- educated. The paper also shows that bicameral has been an integral part of federal process, any reform of the lawmaking institution at the federal level in Nigeria should be geared towards reduction in the salary and allowances and if possible reduction in members of National Assembly as it currently exists and not the scrapping of the senate.

Note: The Southern Sudan is now an independent state since 2011.



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