

THE POLITICS OF LEADERSHIP INSTABILITY IN NIGERIA'S SENATE, 1999-2011

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ABSTRACT

The legislature in Nigeria has not lived up to its bidden. Over the years this arm of government has suffered most from the frequent military interventions since 1966. Its powers are usually usurped by the executive arm under every military regime, thereby making its growth stunted and its members immature. Even under democratic governments, the legislature continues to suffer similar ills, but this time from leadership instability. During 1999-2011, the Senate which is the focus of this study witnessed a high turnover in its leadership. The reason for this rapid change in leadership is the bane of this research. Data was collected via secondary sources such as Newspapers, magazines, and journals, and from the result, it was discovered that the frequent executive interference in the affair of the senate, especially in the emergence of its leaders among other factors, is the reason for the frequent change in leadership.

Introduction

The foundation of modern democratic systems rests on a tripod – the legislature, executive and the judiciary (Olurode 2006:1). Each of these arms is differentiated by the functions it performs. The legislature makes the law, executive implements the law while the judiciary adjudicates on the legislated and executed laws. However, in any constitutional democracy, the legislature is always a strong force to be reckoned with among the three arms of government. Though the legislature and the executive are composed of elected representatives of the people invested with the authority to take decisions on behalf of the people, the legislature, in particular, stands out, as it is described as the sovereign organ of the state (Nwabueze 2000:8). Though the primary responsibility of the legislature is law –making, for the smooth and effective running of the state,

commonly called the legislative function, there are certain other functions, which the legislature in modern times have been known to perform, these secondary functions which can be said to be non-legislative (Sanford and Green 1997: 95) are; executive, judicial, investigative, financial, representative and constitutional. (Oyediran, 2003: 28).

This makes the legislature always responsive to its constituents (Olaniyi 2001:51). In the light of this, the legislature symbolises the true representation of the people, who are the sovereigns, since its members are drawn from across the various constituencies all over the country. This is a fundamental feature of democracy from its very inception in the Greek city states, where direct democracy was practiced. Thus, everyone had the privilege of participating in decision making by meeting together regularly to debate and decide the issues of the day. As societies grew larger, and their needs became more complex, it became practically impossible for direct democracy to be practiced, hence the introduction of indirect or representative democracy. Here, the general citizenry elect officials to govern on their behalf. As Simbine (2010:1) stated; “these representatives who rule the people are usually in categories and one of such are elected legislators”. The source and the centre of all authority in a democratic state is the people, not only is everything done in its name, but every law must be traceable back to it (Soltau 1965:177). To this end, the legislature remains the most representative organ of government among the three arms.

However, democracy as practiced in Nigeria can be aptly described as epileptic (Bello-Imam, 2005:52). Its inconsistency over the years is due to the fact that more often than not, the military had interrupted the democratic process, twice in 1966, then in 1975; democracy returned in October 1979 under Shehu Shagari. By December 1983, the military took over and remained in power till August 1993, when an Interim National Government was instituted. Three months later, the Interim National Government was sacked, by late Gen Sani Abacha who died in office in June 1998. Gen Abdulsalami Abubakar came in and ruled till May 1999, when democracy was restored. In all these military interregnum, the Nigerian legislature had suffered the most compared to the other organs of government. This has greatly impaired its growth and development. The military, by its organisation abhors democratic ethos. Thus, under military

rule; there is a fusion of the executive and legislative powers. Put differently, military rule subverts the growth of democratic practices. Its command structure, with the use of decrees and edicts, emasculate the legislative arm (Simbine 2000:3). This, among many other factors has left the Nigerian legislature stunted and its members immature. In the words of Huntington (1991), the legislature has become “the least developed, least appreciated, least practiced and least institutionalized”. Owing to this awful description of the Nigerian legislature, it has become problematic especially in the fourth republic manifesting itself in the series of leadership turnovers that has characterised the National Assembly.

To be sure, Nigeria’s National Assembly is the legislative arm at the federal level, and it Comprise the Senate and the House of Representatives, as the upper and lower chambers respectively. Since the inception of the fourth republic, the Senate, which is the focus in this study, has had high turnover in its leadership. Specifically, it has had six (6) presidents since the inception of the fourth republic in 1999, three (3) presidents between 1999-2003, two (2) between 2003-2007 and one (1) from 2007-2011. This study therefore seeks to identify the major factors responsible for the high leadership turnover in the National Assembly, with reference to the Senate between 1999-2011, and to unravel the politics behind the spate of leadership instability.

The study is divided into six sections. Following the above introductory section, is the historical evolution of the National Assembly, followed by sections on how presiding officers emerge, the politics of leadership instability, implications of leadership instability on the National Assembly and the polity at large and finally, the conclusion in that order. This study adopts the comparative method and will rely on secondary sources of data. Necessary information needed was drawn from textbooks, journals, magazines, newspapers and official publications of the National Assembly. Internet materials were also be useful. The analysis of the data will essentially be descriptive.

Historical Evolution of the National Assembly

The history and growth of the National Assembly, and Nigeria's legislative arm in general, cannot be separated from Nigeria's constitutional development. Infact, the history of the legislature can be divided into two phases vis -a-vis the constitutional development. First is the colonial phase as seen under the 1922, 1946, 1951, 1954 and 1960 constitutions, and, second the post-colonial phase as seen under the 1963, 1979, 1989 and 1999 constitutions.

The annexation of Lagos by the British in 1861, brought Lagos under a Crown Colony constitution. This constitution provided for a Legislative Council which was established in 1862. It was made up of a Chief Justice, Colonial Secretary and a Senior Military Officer in command of British forces within the colony, or any other person lawfully discharging the function of these officials. The composition of this legislative body was dynamic, as the prevailing situation of the time was. By 1906, when the Lagos Colony and the Southern Protectorate were amalgamated, the legislative council's competence and authority was extended to the new Colony and the Protectorate. Consequently, the composition had to increase to meet up with the challenges of legislating for a wider area. By 1914, at the time the Colony and Protectorate of Southern Nigeria was merged with the Protectorate of Northern Nigeria, the existing legislative council was too restricted in membership to serve as an instrument of government for the whole country. Consequently, the jurisdiction of the legislative council was restricted to the Lagos Colony and its membership reduced. For the other parts of the country, a new legislative council known as the Nigerian Council was thereafter constituted. The new Nigerian Council was initially composed of thirty-six members, later on, the membership was reduced to thirty-two (Olusanya, 1980).

By 1922, a new constitution was adopted under Sir Hugh Clifford, who was then the Governor-General. It provided for a new legislative council with its jurisdiction restricted to the Southern Nigeria Protectorate. However, it was empowered to discuss the budget estimates of the whole country. At this time, the Northern Protectorate was ruled by the proclamation of the Governor. This legislative council was made up of forty-six members, twenty-six appointed officials who were Europeans, and nineteen unofficial members. Due to the defects of the

Clifford's constitution, such as the inability of the legislative council to legislate for the whole country, the Richards' constitution was introduced in 1946. It provided for a new legislative council, which this time was empowered to legislate for the entire country. In addition to this, the new constitution provided for regionalism. Three regions were created Northern, Western and the Eastern regions and for each, a parliament was provided. The Northern Parliament was bicameral - House of Chiefs and House of Assembly, while the other two regions were unicameral - Houses of Assembly. The Assemblies had the powers to: select their representatives to sit in the Central Legislative Council, to consider, advise on proposed legislations affecting the region, and to approve the region's estimates based upon government's financial allocation to the region (Nwosu, Olaniyi and Oyedele, 1998:20-21).

The Macpherson Constitution of 1951 replaced that of Richards of 1946. Its major impact was the replacement of the existing Legislative Council with an enlarged central legislature called the House of Representatives, which was vested with power to legislate for the peace, order and good government of Nigeria (Akinboye and Anifowoshe 1999:241). The composition of the new legislature was such that it had unofficial majority selected from among the members of the regional Assemblies. A total of one hundred and forty- nine members made up the House of Representatives. One hundred and thirty six of which were unofficial members, six official members and six other members representing the interest of communities which were not otherwise adequately represented (Nwosu, et al, 1998:25). The Northern and Western regional parliaments were bicameral in nature, while that of the Eastern region remained unicameral as it was under the Richards' Constitution.

By 1954, the Lyttleton Constitution came into being due to the crises precipitated by the shortcomings of the 1951 Constitution. The new Constitution made the structure of the central legislature unicameral. The assembly was called the Federal House of Representatives. It was composed of one hundred and eighty-four members, directly elected on the platform of single – member constituencies (Okibe, 2000). However, the constitutional conference held in 1957 in London had as one of its resolutions, the establishment of a second chamber (House of Senate) making the central legislature bicameral. The Independence Constitution of 1960, was the last in

the series of the colonial constitutions. Among other things, it provided for a bicameral central legislature, known as the Parliament. The House of Representatives, had three hundred and five members, the Senate, on the other hand, was composed of forty eight members, twelve each nominated by the governments of each region, and another twelve nominated by the central authority to represent federal interests.

The Republican Constitution of 1963, retained the bicameral central legislature. The House of Senate was made up of fifty - six members. Twelve Senators representing each region, selected at a joint sitting of both houses of the regional legislature amongst persons nominated by the Governor. In addition, four senators were to represent Lagos (the Federal Territory), while another four were to be appointed by the President on the advice of the Prime Minister. The House of Representatives on the other hand was enlarged to three hundred and twelve members. Under the 1979 Constitution, the legislative arm at the centre was known as the National Assembly. It still remained bicameral consisting of a Senate and a House of Representatives. The Senate consisted of five Senators from each of the nineteen states. While the House of Representatives was made up of 450 members (Okibe, 2000) There was also 1989 Constitution, which was the product of the military transition programme to democratic governance, the transition however failed, thus making the constitution null and void. However, the provisions of the constitution on the National Assembly were similar to the 1979 Constitution. It provided for a central legislature called the National Assembly, consisting of a Senate and a House of Representatives. The composition of the Senate however differed in that more states had been created, as such, the number of senators per state as prescribed under the 1989 Constitution was reduced. Three Senators were now to be elected from each of the twenty - one states and one from the Federal Capital Territory, Abuja. The House of Representatives on the other hand also had its membership enlarged to 453.

The 1999 Constitution of Nigeria, which is currently in operation, has been described as the re-enactment of the 1989 Constitution. The two have similar provisions and structural definitions. The constitution provided for a central legislature, called the National Assembly, with two chambers, the Senate and the House of Representatives. In composition, the Senate is still

composed of three Senators per state and one from the Federal Capital Territory. While the House of Representatives' membership was reviewed downwards to three hundred and sixty.

How Presiding Officers Emerge

In all, there are ten (10) principal officers in the Nigerian Senate namely: Senate President, Deputy Senate President, Majority Leader, Minority Leader, Chief Whip, Minority Whip, Deputy Majority Leader, Deputy Minority Leader, Deputy Chief Whip and Deputy Minority Whip. Though Section 50 of the 1999 constitution of the Federal Republic of Nigeria only provides for the offices of the President and the Deputy President of the Senate, and how they should be elected by the members of the Senate, through an indirect election conducted within the Senate, it is pertinent to state that other principal officers emerge either by the nomination of fellow party members (party caucus), through a trade-off between party members and the party hierarchy or on an outright party selection. The party with majority seats occupies the offices of the Majority Leader, Deputy Majority Leader, Chief whip and Deputy Chief Whip, while the leading opposition party or a coalition of opposition parties occupy the offices of the Minority Leader, Deputy Minority Leader, Minority Whip and Deputy Minority Whip.

However, in electing the presiding officers and nominating or selecting other principal officers, the multi - ethnic configuration of the Nigerian state has been a major deciding factor. The ethnic plurality of the Nigerian state had in the past generated tensions, crises and problems that shook Nigeria to her foundation, resulting in the rise of mutual suspicion and unhealthy rivalries and has also generated inter-group frictions and so hastened the disintegration rather than promote the unity of Nigeria (Agbodike, 1998). To stem the tide of such disintegrating tendencies, the concept of the federal character was introduced into the Nigerian federal system.

The federal character principle mandates a balance in the composition of the leadership in the country. This practice ensures that every section of the six geo political zones is fairly represented in national issues, and such cuts across the three levels of government; the federal, state and local governments. This principle became imperative as a principle of state policy (Utume 1998: 201), as Section 14(3) of the constitution states:

The composition of the government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups in that Government or in any of its agencies.

In the spirit of the federal character principle, political elites in Nigeria also arrived at a method of ensuring that all geo – political zones are represented in government. Zoning, as it is often called, is the aggregation of the country's states and ethnic groups into a smaller number of blocs on the basis of which positions can then be allocated (Suberu, 1988:433). Orji (2008), in an attempt to further clarify the concept of zoning, drew a distinction between the zoning principle and that of the federal character. Though both principles are methods of office distribution, the zoning principle, is an informal arrangement, devised by political elite in Nigeria in the course of their informal political exchanges; while the federal character principle is enshrined in the constitution. Secondly, while the zoning principle applies to mostly elective positions, the federal character principle applies to appointive positions, and thirdly, the zoning principle focuses on allocation of offices to geo-political zones, while the federal character principle aims at the equitable distribution of positions among states. The goal of zoning is simply to alternate the holders of political offices among the various ethno-regional divides.

Thus, offices are allocated to specific zones for the period of the tenure of a political administration. At the federal level for instance, the offices of the president, vice president, senate president, deputy senate president, speaker of the House of Representatives, and the deputy speaker, among other offices, are distributed among the geo – political zones. As it concerns the senate, the emergence of any senator as an office holder, will depend on the contender's prowess.

It must also be noted that under the present constitutional arrangement, the legislature is a separate and independent arm of government. Its members are popularly elected, thus having the people as the source of its power just like the president. Since the members of the legislature

elect their leaders from among themselves, such leaders are only *primus inter pares*, that is, first among equals and not necessarily superior to other members of the legislature, meaning that the members may also remove the leader if deemed necessary. Indeed, section 50 (2a-c) of the constitution states the conditions under which presiding officers may vacate their offices, viz:

The President or Deputy President of the Senate or the Speaker or Deputy Speaker of the House of Representatives shall vacate his office -

- (a) If he ceases to be a member of the Senate or of the House of Representatives, as the case may be, otherwise than by reason of a dissolution of the Senate or House of Representatives; or
- (b) when the House of which he was a member first sits after any dissolution of that House; or
- (c) If he is removed from office by a resolution of the Senate or of the House of Representatives, as the case may be, by the votes of not less than two – thirds majority of the members of that House.

It is in view of the above that the leadership appeases members of the legislature if such desires to remain in power.

TABLE 1

SENATE PRESIDENTS SINCE INDEPENDENCE

Nnamdi Azikiwe	1960 – 1960	NCNC
Nwafor Orizu	1960 – 1966	NCNC
Joseph Wayas	1979 – 1983	NPN
*Iyorchia Ayu	1992 – 1993	SDP
Ameh Ebute	1993 – 1993	SDP
*Evan Enwerem	1999 – 1999	PDP
*Chuba Okadigbo	1999 – 2000	PDP
Pius Anyim	2000 – 2003	PDP
+Adolphus Wabara	2003 – 2005	PDP
Ken Nnamani	2005 – 2007	PDP
David Mark	2007 – 2015	PDP

*Removed +Resigned

Culled from http://wapedia.mobi/en/President_of_the_Senate_of_Nigeria

The Politics of Leadership Instability in the Senate, 1999 - 2011

The first Senate of the fourth republic was inaugurated on 3rd of June, 1999. Its first assignment was the election of the officers that would preside over the affairs of the house for the next four years. As a way of ensuring an equitable distribution of political offices among the six geo – political zone, the office of the Senate President between 1999 -2007 was zoned to the south-eastern geo - political zone of the country. To be sure, the President of the country, at that time, was from the south-west, his Vice from the north-east, the Speaker of the House of Representatives from the north –west, the Deputy Senate President and the Deputy Speaker of the House of Representatives from the north-central and south-south zones respectively.

The Rise and Fall of Evan Enwerem

Evan Enwerem, a former Governor of Imo state, made history when he emerged the first senate president of the post military Nigerian National Assembly. Obi (2000:4) describes him as ‘a man whom nobody thought was a contender to the office of the Senate President’. The other contender, Dr. Chuba Okadigbo, was the senators’ favourite. According to Odugbesan (1999), Okadigbo had been endorsed by his south-eastern kinsmen in various elective offices and by an overwhelming 52 out of 66 Peoples Democratic Party’s senators. From all indications, it was quite certain that Okadigbo was the man to beat. Nevertheless, Chief Evan Enwerem defeated Dr. Okadigbo to occupy the exalted seat of the Senate President. To be sure, Enwerem was part of the south-eastern kinsmen, who had earlier endorsed Okadigbo for Senate President. This shows that he was an unwilling candidate for the post. This was understandable because the President, Chief Olusegun Obasanjo, seemed not to be comfortable with the emergence of Okadigbo, particularly for his abrasive and arrogant posture. He was also a much more experienced candidate; he was Political Adviser to the President Shehu Shagari in the Second Republic. Apart from this, the two, Okadigbo and Enwerem, were not in the same political camp in the Peoples Democratic Party. While Okadigbo was part of the People’s Democratic Movement (PDM), a formidable group within the Peoples Democratic Party, Enwerem, on the

other hand, was a candidate without any major political camp within the party. How could this unpopular candidate described as ‘colourless, ex-governor of Imo State’ emerge as Senate President? (Obi 2000:4). It was therefore evident that the victory of Enwerem as the Senate President was a product of political undercurrents proposed by the President.

Thus, his emergence as the Senate President was amidst turbulence. This was so because he was torn between two decisions. The first was how to win back the confidence of fellow senators, especially Okadigbo and his group, who felt they had been back stabbed by Enwerem having been among the group that initially agreed to adopt him (Okadigbo) as their unanimous candidate, while the second was how he could please the presidency that facilitated his election. It was his inability to handle these twin necessities that eventually led to his removal. He was more at home with the presidency than with his colleagues who he directly worked with.

To be sure, several factors worked against him. The Okadigbo group explored all possibilities to ensure that he was removed. It was the case of a wounded lion fighting back tooth and nail, to take its kingly position. Okadigbo had resolved not to cooperate with Enwerem. Matters were made worse when Enwerem reneged on his earlier promise to make Okadigbo chairman of the Senate Committee on Defense, a move the presidency frowned at, saying Okadigbo could not be kept in such a sensitive committee. This action further strengthened Okadigbo’s opposition to his leadership (Nwosu 2000:4). It must be noted that modern legislatures around the globe adopt the committee system in order to facilitate the exercise of their core duties of law making and oversight. Lawrence and Oppenhermer (1981) cited by Fashagba (2009:428), have argued that legislative committee is a reflection of the constitutionally permitted delegated decision making authority, assigned by the larger assembly who merely converge to sanction the conclusion of the committees. By this, it is meant that the larger portion of legislative work is done by the committees. This is so because as Barnhart (1999:7) argues, it offers a less formal, less partisan atmosphere in which members could consider estimates or legislations with less control from the executive arm of government. The apprehension of the executive arm under president Obasanjo was well founded, seeing the damage Okadigbo would cause if he was left at the helm of affairs of such a sensitive committee.

Another factor is the internal factor. Members of the senate had no regard for his leadership. He was described as incapable of effectively leading the senate and lacking autonomy. Also the affront of the presidency to impose its candidate on the senate was seen as an unwarranted interference of the executive in the internal affair of the senate. Thus his emergence was not favourably received by the majority of senators thereby leading to the loss of confidence in his leadership.

A third factor was his personal antecedence. His past life was described as shrouded in secrecy. He was accused, among other things of perjury and being an ex convict. Ogundolapo (1999:3) listed seven allegations against Chief Enwerem, which included: stealing while serving as a revenue clerk in the defunct Eastern Region in 1945, he was indicted for embezzlement when serving as a board member in the Nigerian Airports Authority and that there were discrepancies in his age declaration. He also lied about the schools he attended and lastly that he was never called to the English Bar.

The fourth factor is the House of Representatives' resolve to ensure his removal. This was because the first speaker of the House, Salisu Buhari, had lost his seat on allegation of perjury and forgery the same accusation leveled against Enwerem. But more importantly, he too was the candidate of the presidency. And so when such allegations were made of Enwerem, they swung into investigation and found him guilty. From that point they vowed that until Enwerem vacated his seat, they would not allow him preside over any joint sitting of the National Assembly. The combination of all these factors necessitated the exit of Enwerem, as he was removed on the 18th, November, 1999.

The Senate and the Presidency of Chuba Okadigbo

The impeachment of Enwerem paved the way for Dr Chuba Okadigbo who had contested for the seat of the Senate President twice and on the two occasions, lost out. The first was in the Senate of the aborted third republic, when Senator Iyorchia Ayu was removed in 1993. Okadigbo was one of the senators that contested for the seat of the Senate President but lost out to Ameh Ebute. Again, in 1999, at the inauguration of the first Senate of the fourth republic, Okadigbo contested

against Evan Enwerem and lost to him, in what Aremu (1999:3) called ‘the most confounding election in the political history of the nation’. At last, destiny smiled on him and he was overwhelmingly voted for by the majority of senators to replace Chief Evan Enwerem after his removal. Again, his emergence was not particularly endorsed by the president. Having been discovered to be the architect of the exit of Enwerem, he was regarded as the enemy of the President.

Sooner had he assumed office than he began to manifest certain behaviours that were irritating to both his colleagues and the executive arm of government. To his colleagues, he seemed to be a task master, a hardliner and an ‘intellectual mother hen’ (Obi 2000:4). His credential showed that his political antecedence dates back to 1977, when he became a member of the Constituent Assembly. He joined the defunct National Party of Nigeria during the Second Republic and became the Special Adviser on Political Affairs to President Shehu Shagari, a position he held from 1979-1983. Being an academician, he spent his early adult life as a university lecturer. He returned to academics in 1984 and taught at the London School of Economics and Political Science, London till 1987 (Aremu 1999:3). Perhaps, because of this, he treated fellow senators with disdain, merely dishing out orders to them. As a presiding officer, he was autocratic, arbitrarily overruling points raised by senators. He carved out for himself a clique, called the G-5. They were a group of senators who moved the senate and determined who gets what. They were Danladi Bamaiyi, Hairat Abdulrazaq- Gwadabe, Florence Ita-Giwa, Roland Owie and Gbenga Aluko (Adeniyi 2000:7). They were regarded as the kitchen cabinet in the Okadigbo group. By this, Okadigbo succeeded in factionalizing the senate to his own undoing.

Unlike his predecessor who could be regarded as a pet in the hands of the executive, Okadigbo’s tenure was a different ball game. He was like a thorn in the flesh of the president. The areas of acrimony between the legislature and the executive included; the 2000 Appropriation Bill, the Niger-Delta Development Commission (NDDC) Bill, the Anti-Corruption Bill, the 1999 Supplementary Budget and the request by President Obasanjo for ₦80 billion for the purchase of a presidential jet (Eminue 2006:163). Among all these, the 2000 Appropriation Bill stands out as the most acrimonious. The president presented a proposed budget of ₦ 598 billion, ₦ 308.0

billion of which was recurrent expenditure, while the remaining ₦ 290 billion, was for capital expenditure. Not only that the passage of the bill was delayed for several months, the delay was justified by Okadigbo as the tradition of developed democracies (Obi 2000:4). The Appropriation bill was also severely doctored in favour of the Assembly men. A Constituency Allowance allocation to the tune of N500 million worth of projects were earmarked for each senator represented N54.4 billion of the capital expenditure of the budget. Aside from these, the senators under Okadigbo also set aside certain funds to the National Assembly, on the ground that of the three arms, it was the youngest. Eventually, the Appropriation bill as amended was increased to ₦ 677 billion (Eminue 2006:163). It took the intervention of a ten - man committee led by the then Chairman, Board of Trustee of PDP, Alex Ekwueme, to broker peace between the two arms before the bill was signed into law. This singular act of the National Assembly, under Okadigbo sparked up flames of conflict between the two arms subsequently several attempts were made to remove him, but all failed.

The last straw that broke the camel's back was the Audit Report of the Senate's finance made public by the Accountant General of the Federation, which indicted the Senate President and his deputy, Haruna Abubakar (Obi 2000:4). It was in the light of this that a seven man ad-hoc committee was set up led by Senator Idris Kuta to ascertain: how many contracts were awarded in the Senate between June 4,1999 and July 17, 2000; to whom were the contracts awarded, and for how much? Those who were involved or benefited from the contracts? Whether or not laid down rules and procedures had been complied with; the role principal officers of the Senate played in all the contract awards and any other issues relevant to the investigation (Adeniyi 2000:7).

At the end, the Kuta panel indicted Okadigbo, Abubakar, Ita- Giwa, Owie and Aluko. While the Senate President, Gbenga Aluko and Roland Owie, were requested to return specific amounts of money, all including Ita-Giwa were asked to resign their position in the Senate. Okadigbo refused to resign; rather he insisted that he was innocent. However, he was eventually removed since he refused to resign, by a vote of 81 against 14, with 12 Senators absent and one abstaining from voting.

From the President's boy to the pride of the Senate

Even before Okadigbo was ousted, many senators from the south – east extraction had begun to signify their intentions of replacing him in the eventuality of his removal. They were Ike Nwachukwu (Abia), Mike Ajaegbo (Anambra), Anyim Pius Anyim (Ebonyi), Jim Nwobodo (Enugu), Adolphus Wabara (Abia) (Unimna 2000:2). But among all these, Pius Anyim stood out during the PDP National Executives caucus meeting with the party's senators, for the sole purpose of picking the party's nominee for the offices of President and deputy President of the Senate.

Everyone had thought the seat was Wabara's, until Chief Enwerem, who had always been seen as a 'president's man' decided to back Wabara. This action sent a message down the spine of most senators ,especially those from the Okadigbo group who believed that the misfortune that befell the group was the handiwork of the presidency, and that if Enwerem a 'President's man' could back Wabara then it could then be concluded that Wabara also was a 'President's man'. It was based on this political calculation that the Okadigbo group made up of about twenty senators decided to give their votes to Anyim at that caucus meeting, thereby making him the party's nominee. So it was a mere formality when Anyim was presented in the senate chambers as the PDP nominee and subsequently, sworn in.

His tenure was not without hiccups from both within and outside the senate. But it must first be noted that the major cause of acrimony in his predecessor's tenure, that is the Appropriation bill was initially resolved but afterwards resurged in a bigger way. Soon after he assumed office, Anyim organized a senate retreat in Calabar where the 'Calabar Declaration' was birthed (Eminue 2006:164). Among the things that were generally agreed upon was the resolve to have a smoother and more effective execution of the oversight functions of the senate as enshrined in the constitution of the Federal Republic of Nigeria. Many senators also saw it as a fence-mending work particularly in respect of the frosty relationship with the executive. The aftermath of this was the ease with which the 2001 Appropriation Bill was passed. Rather than the shouting

contest that characterized the year 2000 budget, trade – offs and negotiations between the two arms were the highlights.

This momentary rapprochement however could not be maintained. The 2002 and 2003 Appropriation bills generated a lot of controversies. The legislature, as it did under Okadigbo, reworked the 2002 Appropriation Bill and sent it back to the executive for assent. The refusal of the president to assent it made the legislature to overturn the president's veto by applying the legislative veto –override. The President however went ahead to implement the initial bill submitted to the National Assembly, which in turn proceeded on an impeachment course against President Obasanjo. It took the intervention of the ruling party together with two former Heads of State-Yakubu Gowon and Shehu Shagari, to resolve the crisis then (Eminue 2006:168). For the 2003 Appropriation bill, it also suffered a similar fate; an increase of 15.83% was effected on the bill. This made the President to delay the signing of the bill into law for about eight months.

In all these situations and even more, Anyim Pius Anyim, though was in the centre of the whole crisis, was able to maintain a balance between appeasing the members of the senate - which Enwerem neglected, cleaving so much to the presidency - and maintaining a cordial relationship with the executive - which Okadigbo refused to acknowledge its importance and this to his own detriment. Anyim's success can therefore be hinged on a well defined relationship with fellow senators as well as with the executive. He was able to complete his term as senate president.

The Banana Peel and Wabara's Presidency

At the inauguration of the fifth senate in 2003, the prevailing thinking of senators in particular and the public in general was that the era of 'banana peels' in the senate was over. As it may have been observed, the fourth senate that held between 1999-2003, produced three presidents and such in quick successions. Thus in the new dispensation, it was hoped that such negative feat will not be repeated. Like the period between 1999-2003, the office of the senate president was zoned to the south east by the ruling Peoples' Democratic Party. Four senators in the zone indicated interest namely; Ifeanyi Ararume (Imo), Ike Enweremadu (Enugu), Julius Ncha (Ebonyi) and Adolphus Wabara (Abia), however none was prepared to step down for the other.

The implication of the hard line stance of the senators was the setting up of a screening panel by the southeast zone of the ruling party. The outcome of the screening was that while Wabara got the nod of the zonal caucus, others queried the rationale behind the choice, particularly that his election as senator at that time was still surrounded by controversies, the Electoral Tribunal had nullified Wabara's election in the Abia south-east senatorial district (Alli,2003:8). Still not willing to let go of their party's unilateral choice of Wabara, the other contenders petitioned the Party's National chairman. Consequently all four contenders were made to stand before the National Working Committee of the party to resolve the issue, never - the - less, none of Ekweremadu, Ararume and Ncha, was willing to step down for Wabara, rather they insisted on a transparent election process on the floor of the senate.

As the battle for the senate presidency got fiercer, there arose two camps within the senate. The first comprised of the outgoing and returning senators who held tightly to the belief of continuity as well as legislative experience. Their argument hinged on the seniority principle in the legislature, which emphasized that first timers are not permitted to occupy any legislative position. On the other hand was the rival group, consisting of the first timers, that is those who were elected to the senate for the very first time. They advocated for a level-playing field for every contender. While the first group had the support of the past senate president, Anyim Pius Anyim, who believed in the need to allow the 'experienced' ones to preside over the affairs of the senate, the presidency aligned itself with the later group, insisting on the need for a total severance from the past, while considering a possible candidate from the first-time senators (Oderemi, 2003:22).

However, all contentions ceased when the PDP's south-east caucus made its choice of Wabara public. The emergence of Wabara as the preferred candidate was based on his 'loyalty to the party, his cool headedness and a clean public record' (Adisa, 2003). He was also the oldest member of the party among the senators from the south-east zone. The National Secretariat of the party also endorsed Wabara ahead of the inauguration of the National Assembly. What is left? Since the party at the National level had ratified Wabara's selection, all oppositions within the party are thus seen as anti-party activities. It was in view of this that all other contenders

stepped down, accepting the party's decision in good faith. All other impediments were also removed; the petition written against Wabara by the All Progressive Grand Alliance (APGA) was subsequently withdrawn and the Independent National Electoral Commission (INEC) cleared him as the duly elected candidate for Abia South Senatorial District. So it was a mere formality when the senate convened to elect its officials at the inauguration, the motion for the nomination and the adoption of Wabara as the President of the senate was moved and he was unanimously adopted as the new helmsman of the senate. Thus, it was clear from the beginning the reluctance of the PDP to throw open the contest for the senate presidency.

However Wabara reinvented the 'banana peel' era when he had to resign his position barely twenty-three months into his leadership. He was caught in the web of the 'bribe for budget' scandal which rocked his tenure and left him with no option but to resign. Indeed the oversight function of the legislature is widely accepted as necessary, particularly in a presidential democracy where the legislature is separated from the executive, thus setting limits as well as checking its activities. This is done usually through the committee system, whereby members of the legislature are organized into several committees, for the purpose of checking the other arms of government. It was in the process of conducting this oversight function on appropriation in 2005 that Wabara, along with other senators and the then minister of Education, Prof. Fabian Osuji were indicted by President Obasanjo in a national broadcast of being involved in a ₦ 55 million bribe for budget scandal (Akpe 2005:44). In a bid to jerk up the budgetary allocation for the Ministry of Education, Prof. Osuji gave the said sum to some senators, which included the President of the senate. Having got wind of such information, President Obasanjo, through the Economic and Financial Crime Commission, investigated the matter. The report of the Commission indicted Prof. Osuji and senator Wabara among others. President Obasanjo thereafter relieved Osuji of his position as Education minister, and by so doing, putting the senate and Wabara in particular in check, since the executive arm had taken a proactive step in dealing with the culprit on its side; such a reciprocal step was also expected of the senate.

Wabara was thus placed under intense pressure; he was held between resigning his position or get impeached. Indeed the presidency wanting to make bare its anti-corruption campaign

descended on Wabara, his international passport was seized and the presidential jet attached to his office withdrawn. Furthermore, all correspondence from the executive arm to the senate was addressed to the Deputy President of the Senate, a move suggesting that the Office of the President of the Senate as far as the executive arm was concerned, was vacant. There was also a divided senate, majority of the senators sought Wabara's resignation based on the fact that the integrity of the whole senate was marred and needed to be reclaimed. On the other hand were pro-Wabara senators, who insisted that Wabara must not let go or resign. They argued that the legislature, as an independent arm of government, must not succumb to pressure by another arm. More so as the chairman of the National Assembly, and since the senate was on break at the time, Wabara could not resign to the executive. Wabara's loyalists went ahead to argue that since any court of law had not indicted him nor found him guilty, he should continue his functions as the president of senate (Akpe 2005:44). However, more were the forces opposing him and seeking his impeachment or resignation than his loyalists. Oppositions grew so much that even his kinsmen and traditional rulers dissociated themselves from him as he was stripped of his chieftaincy title. It was in the midst of all these oppositions that Wabara threw in the towel insisting on his innocence.

Nnamani and the 'New' Legislature

The resignation of Wabara, threw open once again the race for the exalted seat of the senate presidency, which was still zoned to the south east. However this time the PDP had decided to limit the contest for the position to Enugu state. Three contenders emerged for the position namely Senators Ike Ekweremadu, Fidelis Okoro and Ken Nnamani. Ekweremadu was elected into the senate in 2003 from Enugu- West Senatorial district; he had earlier contested for the senate presidency against Adolphus Wabara, but was not favored by the Party's zonal caucus, which preferred Wabara. Okoro, on his own part was elected into the senate in 1999 on the platform of the Alliance for Democracy. However he switched allegiance to the Peoples Democratic Party, on whose platform he contested and won the 2003 election. Nnamani was also elected into the senate in 2003. Okoro however stepped aside for Nnamani, thus leaving the contest between Ekweremadu and Nnamani. At the PDP caucus of the senate where the President of the senate was to be elected, two groups emerged. One was sympathetic to the

independence of the legislature, while the other was a pro-executive group that was at home with the intervention of the presidency in the internal affairs of the senate. At the end of the election process, Nnamani polled 47 votes to emerge the winner, while Ekweremadu; a very strong contender had 13 votes. Nnamani's victory was not unexpected, since his contender, Ekweremadu has been spotted as the President's man, majority of the senators across the six geo-political zones backed Nnamani and when he was nominated on the floor of the senate, his adoption was unanimous. Though he was able to complete his term, his tenure was not without some confrontations with the executive. Among many of such was the infamous third term or tenure elongation bid by President Obasanjo. This was part of the proposed constitutional amendments sent to the senate from the presidency. The proposed amendment was however turned down by the upper chamber, thereby asserting its authority and independence from the executive arm. At the completion of his tenure, Nnamani ascribed his success to the support he enjoyed from his colleagues, from the time he was elected. Indeed, his emergence as the senate helmsman was unique in that, for the first time in the fourth republic, the senate elected its leaders without instructions and direction from the party hierarchy; also, the conventional seniority rule was suspended to allow a freshman - senator emerge as president. The non-interference of the executive thus led to the stability of the upper chamber.

Perhaps the election of Nnamani was the turning point the senate needed to sever itself totally from the domination of the executive arm. Though the ruling party had, in its tradition, nominated a candidate for the position of senate president, the sixth senate took a new turn as most fresh senators were dissatisfied with such a decision, preferring an open contest for the seat (Alechenu, Nwankwo and Falola, 2007). David Mark, who emerged as the party's choice ahead of the inauguration of the sixth senate was preferred based on his track record of service in the senate and his untainted loyalty to the party (Nwankwo 2007:43-44), as such some other contenders from the North central zone had to back off, including Nicholas Ugbane (Kogi), Abubakar Sodangi (Nassarawa) and Awaisu Kuta, (Niger). They all aligned themselves with the Party's position. However George Akume (Benue), Nuhu Aliyu (Niger) and Gbemisola Saraki (Kwara) remained in the contest against Mark. Akume remained the strongest contender for the senate president's seat based on his antecedents. He was a former Governor of Benue State, and

had not hidden his displeasure for Mark; he had worked against Mark’s return as senator in 2007 but failed. So the contest for the senate presidency was another show of supremacy between Mark and Akume. With Aliyu and Saraki withdrawing their candidature at the very last moment before the election and giving their support to Akume; Mark was still able to get the support of majority of senators, pulling sixty-eight votes ahead of Akume with thirty-nine votes. Unlike the fourth and fifth senates, the sixth and the present seventh senate, which Mark is still presiding over is significant. For the first time at least in the history of the fourth republic, an elected president of the senate was able to complete his term as well as return for a second term. This success was hinged on the purposeful leadership he offered at very critical times. His return as president of the senate of the seventh senate is seen as a reward for his excellent service.

Table 2: Trends in Leadership Change in the Nigerian Senate (1999-2011)

Names	Status	Duration of Tenure	Reasons for Leaving Office	Remarks
Evan Enwerem	Senate President	June 3 – Nov.18,1999	Removed from Office	He was accused among others of perjury and being a former convict. Also that there are discrepancies in his age declaration, and that he lied about the schools he attended, also that he was never called to the English Bar.
Chuba Okadigbo	Senate President	Nov 18,1999 – August 8,2000	Removed from Office	He was indicted by the Federation’s Accountant General’s audit report of the Senate finance. He was found guilty by a senate ad-hoc committee that investigated the matter. His refusal to resign as recommended by the panel caused his removal.

Anyim Pius Anyim	Senate President	August 10 ,2000- May 29,2003	Completion of term in Office	Survived all crises
Adolphus Wabara	Senate President	2003-2005	Resigned	He was caught, alongside other senators and Federal ministers in the web of the “Bribe for Budget” scandal that rocked his tenure.
Ken Nnamani	Senate President	April 5, 2005- May, 2007	Completion of term in Office	He brought a new order into the Senate, as being the first freshman Senator to be elected president.
David Mark	Senate President	June 6, 2007- June 2015	Completion of term in Office	He made history by being the first Senate President to win a second term.

Compiled by the author

Implications of Leadership Instability on the Polity

Having carefully observed the trends, patterns and reasons for leadership instability in the senate between 1999 - 2011, it is important to note the implications of such on the National Assembly and the polity at large. The most obvious implication is that it hinders the effective discharge of the primary functions of the legislature, which is law- making. Okadigbo noted this when he said ‘we have spent more time working for impeachment than we have spent working for the

common man' (Andoor and Nwabuko 2000:1). Bello- Imam (2005:70-71) in comparing the fourth republic National Assembly with that of the second republic, observes that of the two hundred and fifty two bills received between 1999-2003, only thirty- six were passed into law, compared to thirty seven bills passed from thirty seven bills received, in the second republic. This shows that to a large extent, leadership instability hampers the effective discharge of legislative duties. The necessary time for legislative processes was spent on reconciliation mechanism among the leadership of the National Assembly on one hand, and between the lawmakers and the president on the other.

Also leadership instability retards the growth of the legislature. It had been observed earlier in this work that the legislature because of its relative irrelevance to military regimes had been sidelined. The instability in leadership further relegates the position of the legislature among the three arms of government. At every point when there was a leadership change, it takes the legislature back to the very beginning because the new helmsman may likely restructure the House in the form of dissolved committees and such like as did Okadigbo (Nwosu 2000:4). Such restructuring have far reaching implications for the polity in that it disallows continuity in the policy process.

Leadership instability also divides the legislature into several groupings and factions. For instance, the events that led to the removal of Enwerem, saw the senate split into pro –Enwerem and pro-Okadigbo groups. Thus, legislative deliberations became a battle of factional interest rather than national interest (Nwosu 2000:4). To this end, executive-legislative relationship became acrimonious. This had a grave implication for policy process in the country. The two political branches became antagonistic to each other instead of cooperating on issues of national policy.

Conclusion

In view of the findings of this study, it is apt to note that except if the culture of representativeness is inculcated by the political actors, instability will pervade the entire political process. The tenets of presidential system which exhibit the concept of separation of powers and

the doctrine of checks and balances must be upheld. It is apt to state here that the problem of leadership instability is not peculiar to the upper chamber only. The House of Representatives has also suffered similar fate since the beginning of the fourth republic. Since 1999, the House has had six speakers, with two, Salisu Buhari and Patricia Etteh having to resign their positions under intense pressure from both within the House and the general public.

It has been stated earlier that all arms of governments are to be interrelated and interdependent; relative autonomy must be accorded to each arm of government. This, especially, relates to the legislative and the executive arms which by necessity ought to be interdependent but not to be overbearing in this interrelations. This interdependent relationship promotes effective policy process. The executive, mindful of the existence of the oversight power of the legislature should always seek to promote good governance. The legislature, on the other hand, should be responsible in the scrutiny of the policies of the government with a view to ensuring implementation of the objectives of the constitution. The performance of the constitutional responsibilities of the two political branches in a harmonious manner promotes good governance.

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