



Effects of Legislative Standards on the Lawmaking Process in Nigeria's Eighth National Assembly

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Abstract	Original Research Article
Legislative standards' are aims to achieve success in all constitutional assigned responsibilities, lawmaking inclusive. However, the President's endorsement of seventy-five bills to acts of parliament out of the five hundred and twenty legislative bills submitted by the legislature for executive's assent in the eighth assembly, uncovered problems in the lawmaking process of the national assembly, hence, this study examined effects of legislative standards on the lawmaking process between June 2015 to June 2019; identified legislative standards applied in lawmaking process; appraised the consequences of legislative standards on the lawmaking process, and proffer suggestions to improve the task. The study was a survey research and used questionnaire and interview instruments to gather primary data from relevant personnel and lawmakers. Secondary data were sourced from legislative documents, textbooks, and erstwhile studies were examined. The study embraced separation of powers theory; data analysis, test of hypotheses, utilised statistical tools and chi-square respectively. The study revealed that the federal legislature applied fast-track, legislative privilege and immunities, interpretative and human rights, as legislative standards; standards governs both the legislature and executive arms on lawmaking duties and violation yielded disapproval. In conclusion, the eighth national assembly applied inadequate legislative standards in lawmaking process. Accordingly, the study recommends that: the federal legislature should utilise more standards; conducts regular standards trainings for the committees; establish legislative standards committee for enforcement; create drafting, scrutiny's offices with supply of relevant manuals and working materials; review standing order of the legislature and state violation of standards as offence attracting serious sanctions. Keywords: Legislative Standards, Lawmaking Process, Nigeria, Nigeria's Eighth National Assembly.	

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1. INTRODUCTION

Hornby (2010) emphasizes that standard has diverse connotations and comprises arrangements to determining acceptability or rejection of quality, living standard, morality, product, signpost, and comparison of one achievement with the other, to

mention but few. The essence of standard is to establish the success of organisation's objectives. Impliedly, standard is deployed in all entities - public and private entities.

According to Glassman (2016) modern government has three branches - legislative, executive, and



judicial-, independent, possess equal powers, but checks and controls one another. The power of each arm is articulated in the country's Constitution. As a result, each branch develops rules and regulations to meet her statutorily mandates. For instance, section 60 of Nigeria's 1999 Constitution empowers the National Assembly to regulate its own procedure, including the process for summoning and recess of the House. Danwanka (2017) explains section 60 as the source of the National Assembly's Standing Orders. In line with modern constitution theory, standing order is developed in-house by the legislature to regulate legislative procedure (John Locke, (1632-1704)). Anyebe (2016) declares that there are legislative standards for lawmaking, revising, amending, repealing, treaty ratification, among others, and declare further that the Constitution is the origin of legislative procedure as it empowers the parliament to develop standing rules and procedures to discharge legislative powers/functions.

Similarly, Egwu (2011) argues that legislative standard is indispensable in the politically-aware gathering that comprises different individual, groups with competing interests to regulate and guide peaceful and orderly conduct of proceedings. Egwu opines that standing orders of legislative House is one example of legislative standards; label it as a compendium that contains the practices and procedures of the legislature, explains old legislative business, adapt to the provisions of the supreme law, and guaranty stability.

Obasa (2016), PLAC (2017), among other scholars, asserts that lawmaking is the prime duty of legislature in modern governance; these views thus, compel the legislature to abide by the Constitution to pass legislation that meets president's approval.

This paper examines the role of legislative standards on lawmaking process concerning bills passed for President's assents in the Nigeria's Eighth National Assembly in four years that spanned from June 2015 to June, 2019.

Statement of the Problem

Nigeria political history reveals that the country

returned to civil rule on May 29, 1999, which began the Fourth Republic. However, the Fourth (4th) legislative assembly spanned June 1999 – June 2003, in pursuance to section 64 (1) of the Constitution of the Federal Republic of Nigeria 1999 that stipulates four years as election cycle. There have been 4th 5th, 6th, 7th, 8th and 9th Assemblies, and Nigeria is currently on 10th National Assembly, that will terminate on June 2027 (CFRN, 1999). It is worthy to note that each afore-mentioned legislative Assembly has passed several bills out of which some numbers were duly approved by the President.

Jimoh (2019) analysed passed bills and President's approvals that led to Acts of Parliament, and revealed that in the 4th Assembly, 167 bills were passed and 31 (18.5%) bills assented; 5th Assembly recorded 297 bills and the executive approved 99 bills (33%). Furthermore, the 6th Assembly: 53 (23%) bills endorsed by the president out of 224 (100%) adopted bills by that legislators; 7th Assembly Legislators passed 317 bills, whereas the President assented to 61 (19.2%) bills. In 8th Assembly, five hundred and twenty (520) bills passed, the executive approved seventy-five {75, i.e. (14%)} as Acts; obviously, the 8th National Assembly passed highest numbers of bills (five hundred and twenty (520) bills and ultimately, recorded seventy-five {75, i.e. (14%)} Acts. In conclusion, the federal legislature passed 1,525 bills in twenty years, out of which 319 (21%) bills became Acts of Parliament, there is continue rise in the rejected bills, public frowned at the performance, and questions on the quality of the enacted legislation, among others. The disclosure triggers the need to investigate the extent the legislators observe legislative standards in the period regarding the quality of lawmaking process, and offer suggestions to mitigate the phenomenon.

Objectives of the study

The general objective of the study is to examine the effects of legislative standards on lawmaking process, based on Jimoh (2019)'s analysis that Nigeria's Eighth National Assembly records low numbers of approved bills among the legislative assemblies in the Fourth Republic in twenty years (June 1999 to June 2019), as the President endorsed

seventy-five (75) bills of the five hundred and twenty (520) bills passed to the executive in four years - June 2015 to June 2019. The study's specific objectives are to:

- i. identify the legislative standards used in lawmaking process in the Nigeria's federal legislature
- ii. assess the effects of legislative standards on lawmaking process in Nigeria's Eighth National Assembly, and
- iii. suggest other legislative standards to improve the lawmaking process in the Nigeria's federal legislature.

The Hypotheses of the Study

The following null hypotheses were proposed:

H₀₁: Legislative standards have no significant use in lawmaking in the Nigeria's federal legislature.

H₀₂: Legislative standards have no significant impacts on the number of adopted legislation in the Nigeria's federal legislature.

Significance of the study

The outcome of this research will enlighten the stakeholders - Nigerians, legislators inclusive that a bill is a legislative device, basis of good legislation, vehicle for socio-economic development and promotes democracy. Accordingly, the study will mitigate the reportedly age-long practice of Nigerian federal legislators allegedly sponsors frivolous bill to immortalize their names. Similarly, the Legislators will understand the danger of violation of established legislative standards and practices such as violation of national and international human rights provisions, neglect stakeholders' participation in lawmaking process, disregard drafting guidelines, and consequences of the afore-mentioned on the proposed legislation. Likewise, the Civil Society Organizations (CSOs) lawmaking specialist group will understand certain criteria that influence the executive's action on bill submitted by the legislature for endorsement.

2. LITERATURE REVIEW

Legislative Standards

Danwanka (2017) described legislative standards as various orders put together by elective body of a country to guard the discharge of statutory functions such as lawmaking, oversight, representation, appropriations, deliberation, holding government to account, and several other legislative tasks. Danwanka concurred with Jaja (2020), Chukwuemeka (2024), among others, and categorise legislative standards into:

1. Substantive standards is a vital part of the specific law subject, which indicates mandatory, acceptable, wrongful, and component elements that relates to the law issue, and makes the legislation theme unique. Substantive standards describe:

- a) Procedural standards enumerate the pre-legislative phase, legislative drafting, lawmaking process, and enrolment procedure, when the adopted bill becomes a law. Danwanka described procedural standards as in-house rules develop by the legislature to administer several tasks and enumerated examples to include among others, Standing Orders [of the House of Representatives]; [Senate] Standing Rules; of the Nigerian National Assembly, Drafting Guide, Public Hearing Handbook, Scrutiny Manual, etc.
- b) Interpretative standards explain the meaning of some terms as used in the draft law for subsequent application after its enactment to meet the purpose of the legislation. (Jaja, 2020) added that interpretation standards also assist the judicial arm, experts/professionals, to clear any misconception in the application of the law.
- c) Regulatory standards according to Chukwuemeka (2024) outlined administration of the law in the governmental departments and agencies. Administrative law, subsidiary law, falls in the regulatory standards' category, which usually, is developed by agency of government based on primary legislation, to oversee the sector for smooth administration and control. Subsidiary legislation for best

practices requires oversight by the legislative institution in order to maintain proper enforcement of the law.

2. Lawmaking standards Jaja (2020) explained lawmaking standards as the actual procedures, principles, and guidelines that is mandatory for lawmaking activities. Anyaegbunam (2021) emphasized the purpose of lawmaking standards as enables the public to view legislative body as: efficient, transparent, and accountable. The sub-sets of legislative standards according to Jaja (2020) include:

- a) Statutory standards contain the rules of law that needs to be upheld by the legislature. It describes the rights, obligations, and offences and sanctions.
- b) Human rights standards itemize the basic rights and freedoms that individual creature must enjoy. Ogozy (2016) in his study titled “Public Participation in Lawmaking Process in the Nigerian National Assembly, 2007-2015” stated that human rights are provisions that all human beings must adore. It is a convention that every country’s constitution must offer. Consequently, human rights provisions must be upheld in the event of lawmaking because it influences the approval or otherwise of proposed legislation.
- c) International standards refer to principles on international treaties, convention, agreements, and so on. Countries that are signatory to a specific agreement are expected to reflect in the enactment of related legislation in precise areas such as environmental protection, climate change, drugs and narcotics, corruption, economic, defence pact, political, socioeconomic, and host of others (Ahmadu, 2010).

3. Other standards comprise:

- a) Legislative Privilege and Immunities Amucheazi (2007) reckoned legislative privileges and immunities as a universal standard that protects elected members from legal actions while serving. The intention is

for the legislators to discharge their duties without fear of punishment or prosecution.

- b) Committee standards refer to guidelines for committee to conduct tasks such as investigation, hearing, and for submission of report (Aitken, 2013).
- c) Legislative documents’ standards provide format of drafting proposed law, motion, and related legislative documents (Anyebe, 2016), (Anyaegbunam, 2021).
- d) Fast-track legislation standards refer to guideline for handling exceptional situation, such as financial request, emergency, disaster, war, outstanding bills from the preceding Assembly, and similar circumstances. Handling of fast-track legislation or other similar requests has to follow due legislative process. Ajiboye (2022) explained that based on legislative convention, fast-track standard means guidelines for speedy consideration of legislative proposal, and involves skipping scrutiny stage, but the National Assembly must concur with the statement of reasons for fast-track presented by the executive. Similarly, in British House of Lord, fast-track standards stipulates that a request for fast-track legislation demands the British government to submit reason, sunset clauses, and review provisions on proposed legislation before that request qualify for Parliament’s consideration. Sunset clauses are periods that indicates that by a specific date certain provision(s) in the proposed legislation, if becomes an Act will lapse. (<https://www.parliament.uk/business/lords>).

By democratic convention, every democratic nation develops legislative standards that regulate activity in the parliament. Oliver (2014) explained that the United States of America’s legislature has legislative standards and best practices on lawmaking process, and cited some of these standards, as:

- a) Constitutional framework provides legislature, itemizes congress powers, limitations on legislative authority, and distinct lawmaking process. The lawmaking process embeds source of bills,

committee work in plenary, the duties of the President and scope in lawmaking, respectively.

b) Legislative rules enumerated guidelines in proceeding in each of the bicameral legislature.

c) Committee system this is the adopted method for all legislative activities, for instance lawmaking, review of legislation, hearings, recommendation, etc. The committee system in addition, allows the splitting of committees into several subcommittees.

d) Floor procedures enumerated guideline for debate, bill amendment, and voting.

e) Presidential action on Veto and Condition to override President's Veto reckoned President's power to approve or disapprove bill, and stated two-thirds vote of Members of Parliament in each chamber as the condition to override the President.

f) Oversight emphasized the powers of the legislature on investigation of the executive arm, holding executive to accounts, debates, and related issues.

g) Introduction and Referral of legislation provides that either house has power to initiate a bill, and refer to the Committee for consideration. However, the USA House of Representatives has exclusive right on introduction of finance bills, such as Appropriations bill, Supplementary bill, Tax bill, etc.

h) Committee hearings provided guideline for information gathering from the populace, professionals, and other stakeholders on draft law.

I) Committee markups concerned with the procedure to conduct review and amendment of bills after public hearing, for discussion on proposed bill in full details.

j) Floor debate and voting is the framework for debate and reporting of votes in the plenary after the bill is laid in the chamber.

k) Resolving differences explained procedures to handle bills that both the Senate and House of Representatives passes in different versions.

l) Presidential action and timing on Congress bill, this states period for US President to take action on Congress bill, otherwise such bill becomes a law.

Adopted Legislation refers to proposed law that is

approved by the legislators having been discussed in the plenary and agreed on by majority of members present. Section 58 (3) of the 1999 CFRN considers adopted legislation as “a bill passed by the 2 Houses and agreement reached between the two Houses on any amendment made on it.” It is after a legislative proposal is agreed on by the legislators (legislature/bicameral) that is submitted for approval of the President for it to become a law.

Quality Legislation is a bill that is passed by the legislature and approved by the executive (President) into an act (De Jager, 2000). Likewise, Jaja (2020) enumerated that a quality legislative proposal spurs a good legislation, which leads to development and promotion of democracy. Furthermore, national development results from quality legislation, power exercises, strong regulations, impactful influences, control of polity, among others.

Lawmaking Process

According to Obasa (2016) lawmaking is the principal function of the legislature, and Anyaegbunam (2021) regarded lawmaking as making, revising, amending and repealing laws for the advancement and wellbeing of the society by the elected body, which represents various segments of the societies. Omotola (2014) added that lawmakers possess powers that control the government. The trio's views correspond with section 4 (1) of the 1999 Constitution of the Federal Republic of Nigeria (as altered) that bestows the legislative powers in the National Assembly and section 4 (2) power to make laws for the peace, order and good government of the Federation or any part thereof as set out in Part 1 of the second schedule. Mbaya, et al (2013) also affirmed that the Nigeria National Assembly makes laws that models USA presidential system, and legislature is one of the three branches of government. The three branches uphold the doctrine of separation of powers (Glassman, 2016). Whereas section 58 (1) of the 1999 Constitution (as altered) states bill as the method for legislature to exert its power, and PLAC (2015) relies on section 58 (2) of the 1999 Constitution affirms bill process as the procedure of lawmaking. Okukpon (2017) concurred with PLAC (2015) and enumerated bill process in the

Nigeria's bi-cameral legislature as follows:

1. Notice of Presentation of Bill: The sponsor (Legislator) informs the Presiding Officer (Speaker or President of the Senate) of intention to present a bill on certain subject matter. Upon approval by the Presiding Officer, the Chairman Committee on Rules and Business causes the bill to be labelled HB meaning House Bill or SB (Senate Bill) (as appropriate) for publication in the relevant Chamber's Journal, and other actions like, numbering, and enlisting the proposal in the order of proceedings for presentation at the plenary (floor) at a certain day/date. Anyebe (2016), Ajiboye (2022), cited Nigeria's National Assembly Rules (Standing Orders) that a bill can be introduced into the bi-cameral legislative body through the Senate or House of Representatives. The duo opined that standing rules (orders) are inviolable as it cannot be set aside on any ground, because the legislature updates it regularly. Danwanka (2017) added that Standing Orders (Rules) of the legislative Houses are derived from sections 60 and 101 of the Nigeria's 1999 Constitution.

Based on the approval of the Presiding Officer (Speaker/President of the Senate); the Chairman, Rules and Business/Senate Procedure Committee, informs the sponsor (Legislator) to prepare for lead debate, arrange for the seconder, and other related activities.

2. First Reading: In this stage, the Presiding officer directs the Clerk of the House of Representatives/ Senate as appropriate to read the short title, statement, and background of the bill. The Rules and Business Committee sets a date for its second reading.

3. Second Reading: At this stage the discussions on the general principles of the bill are conducted on the date set by the Rules and Business Committee. If the House approve the bill at the end of the debate, the Speaker directs the Clerk to read the long title of the bill for the second time. And the Speaker subsequently refers the bill to one or more Standing Committee. However, decision could be taken to commit the bill to the Committee of the Whole for quick consideration.

4. Committee Stage: Upon the receipt of the Referral by the Chairman of the Standing Committee, the Committee meets, and decides whether or not to conduct public hearing or use other methods like investigative or interactive session. The committee conducts its finding, and based on its findings, may approve the bill without any modification, re-write, and subsequently submit its recommendations to the House for further action.

5. Public Hearing: Where the committee identify that a bill requires public hearing, the Committee Chairman directs the Committee Clerk to arrange for the public hearing. The Clerk in conjunction with the secretariat identifies the stakeholders of the bill, prepares and distributes invitation letters for their attendance, make other necessary arrangements, and identify: place, time, duration of the public hearing, etc.

6. Report Stage: The Secretariat prepares the report and the Chairman lay (submit) the report of the Committee to the House, and if the report is approved (adopted), the bill progresses to the third reading.

7. Third Reading: If the bill was amended by the committee, a date is set by the Rules and Business Committee for the consideration of the report. Given the involvement of the whole House, this is referred to as the Committee of the whole. After deliberation on the committee's report, a member may move a motion that the bill be read the third time right away or on another day. The Chairman, Rules and Business Committee inform the House [thereafter] that the Committee of the Whole has consider the bill and passed it with or without amendment and moves a motion that "the bill be now read the third time."

Important Note: the Clerk prepares a clean copy of the bill for both the Presiding Officer (President of the Senate or Speaker, House of Representatives)'s signature and Self. The Clerk sends a copy of the endorsed "Clean" bill with a covering letter to the Clerk of the other House, and request for the concurrence.

The House that prepared the first Cleaned copy of the bill sent to the other House is called Originating Chamber. Where the other House accept the amendment proposed by the originating House, the Clerk of the other Chamber retains the bill and

inform the originating House in writing that “Senate or House of Representatives, as the case may be, as agreed to the bill without amendments”

8. Harmonization/Concurrence: Where the other Chamber disagreed with the originating chamber on the bill; or agrees to the bill, but with its own amendments; a conference or harmonization committee will be constituted comprising equal members of both chambers with the duty of reconciling differences on the bill and proposing a single position that would be adopted by the plenary of each Chamber. On the approval of the recommendations of the conference committee, the bill is qualified or moved to the assent stage.

9. Assent Stage: At this stage, the Clerk to the National Assembly sends a copy of the “Clean copy” to the President for assent. If the President is satisfied with the bill, he signs it, however, where he rejects (vetoes) it, or communicate his assent to the bill within 30 days from the date the bill was received by the executive, the National Assembly by a two-third majority vote can override the veto (1999 Constitution).

Nigeria

Historically, the British granted Nigeria a sovereignty status on October 1, 1960; and based on section 2 of the defunct 1960 Constitution of the Federation of Nigeria, recognised Nigeria as a Federation. Similarly, section 36 created Nigeria’s first Parliament with Queen (Her Majesty) of England as the Leader of the bicameral legislature, which comprised 44 Senators (section 37), and 305 Members of the House of Representatives (section 38), respectfully. Egwu (2005) specified that the first National Parliament sat in October 1963 enacted a Republican Constitution that terminated the Queen of England as the official leader of the legislative house. The Nigeria military had incruised severally into the county’s politics until 29th May, 1999 ushered in the Fourth Republic through the Constitution of the Federal Republic of Nigeria, 1999, that is in operation till date. The 1999 Constitution (as altered), like the previous but abandoned Constitutions upholds the supremacy of the Constitution; promotes democratic governance;

regards Nigeria has a federation; thirty-six (36) states subnational level; and Abuja, as a Federal Capital Territory; supports bicameral legislature at the federal level and unicameral legislature at state level; distributes power according to democratic principles; and authorises periodic election of four years.

Nigeria’s Eighth National Assembly

General election is held every four years in accordance with section 64 (1) of 1999 CFRN (as altered) by the Independent National Electoral Commission (INEC) consequence upon the date announced earlier by the Commission. The declaration of date is usually in conformity with the section 25 of the Electoral Act, in force (in this case Electoral Act, 2015). Specifically, section 76 (1) of the 1999 Constitution gave rise to the enactment of the electoral management body and stipulates fixes of dates for the conduct of elections, legislature, inclusive. The Nigeria’s National Assembly is a bi-cameral legislature pursuant to the section 48 (1) of the 1999 Constitution (as altered). Similarly, section 4 (1) empowers the national assembly to make laws for the peace, order and good government of the Federation or any part thereof. Deductively, the eight National Assembly commenced from June 11, 2015 to June 2016 (Legislative session 1); June 2016 to June 2017 (Legislative session 2); June 2017 to June 2018 (Legislative session 3); and June 2018 to June 2019, (Legislative session 4). The Eight National Assembly ended on June 10, 2019.

Effects of Legislative Standards on the Lawmaking Process in Nigeria’s National Assembly

Anyaegbunam (2021) explains the importance of legislative standards as: empowering the public to view legislative body as efficient, transparent, and accountable.

Jaja (2020) maintains that legislative standards assists judicial arm, experts/professionals in the interpretation of legislation, and hence a vehicle for resolution of conflict and application of law. In addition, it promotes transparency and accountability in lawmaking process and yields qualitative

legislation; proffer effective solution to the problem of the society; facilitates oversight functions of the legislature; enhance sound relationships among the bi-cameral legislature; boost public participation in lawmaking process, explains lawmaking procedure as enshrines in the country's constitution as well as articulates consequence of contempt to the provisions.

According to Usoro (2019) invocation of legislative standards influences executive to disapprove a bill that: conflict with extant laws, duplicate the responsibilities of existing agencies, and refuse to establish financial implications on implementation of an adopted bill after it is signed and becomes a law. Jaja (2020) opines that any improperly or poorly drafted legislative proposal attracts President's condemnation; and similarly, a bill that negates constitutional provisions and standards is certainly not be approved by the President.

Danwanka (2017) posits that enforcement of legislative standards safeguard the executive from declining assent unnecessarily, because the Nigeria's 1999 Constitution (section 58 (5)) provides override power for the legislature to veto the President's with two-thirds majority of each legislative chambers to counter the executive action. Thus, prevents the legislature from embarking on legislature-executive confrontation, disapproval of certain presidential appointments, among other measures that legislature can result to. In addition, bill that violates national and international human rights standards, stand rejection by the President; any bill passed by the legislature that disregards layout, format, language, conflict in words and figures, etc., among other factors, causes executive's sanction. Okukpon (2017) admits that negligence of legislative standards is responsible for withdrawal of assent on adopted bill seeking executive's approval.

PLAC (2017) declares that legislative standards safeguard accurate conduct of every statutory functions of the legislature namely: lawmaking, oversight, representation, appropriations, deliberation, holds government to account, as other several responsibilities are observed. Accordingly, legislative standards provide opportunity to eliminate poorly drafted bill that contains jargons,

contradict political manifestoes, un-scrutinised, and skipped public participation.

Hamalai (2015) holds that legislative standard governs the operation of the legislature in all legislative processes, namely: lawmaking; amendments; ratification of appointments; and so on. Legislative standard also ensures peaceful conduct of lawmaking proceedings (Shikyil, 2007). In summary, legislative standards are numerous, quality control mechanisms and influences enactment of good laws for the benefit of the society.

Empirical Review

Aulia, et al (2021) conducted a study titled "Fundamental Principles of the Legislation Process", to establish whether the legislative process in Indonesia has aligned with the fundamental principles of legislative process used in the United Kingdom. The study adopted descriptive analytical research and comparative approach. The study revealed specific fundamental principles, namely: principles of participation; principle of equality; principle of majority rule/decision; and principle of publicity; thus, non-conformity with principles of participation of these legislative principles leads the executive to exercise veto powers. The study recommended that the legislature should ensure appropriate deployment of legislative standard like public participation legislative standard to avert the veto power as prevalent in Indonesia legislative process.

Onyekaba (2021) conducted a research "Legislative-Executive Relations in Nigeria Eight National Assembly" enumerated the general objective as analysis of legislature-executive relations, while the specific objectives included: examination of history of legislative-executive relations in Nigeria; examine the nature of the relationship between the executive and legislature in 8th National Assembly and how it affects legislation in the Eight National Assembly; and suggest strategies to improve legislative-executive relations in Nigeria. The study adopted Montesquieu theory of separation of powers as theoretical framework. The study was a survey design type, gathered qualitative and quantitative data. A well-structured questionnaire complemented

with in-depth and non-scheduled interviews served as data collection instruments. The target population was 644, and sample size of 275 respondents. Simple random sampling technique complemented with purposeful sampling method to select respondents. The Statistical Package for Social Science (SPSS) software, version 16.0 was used for data analysis.

The research established that Nigeria has not applied legislative-executive relations [standard] in line with the doctrine of separation of powers since inception of democratic rule and the only attempt was made during the Eighth National Assembly. Likewise, the legislative-executive relations relied on numerous factors than the constitutional provisions; and the design of the constitution defines the nature of the relationship between the executive and legislature. In addition, the first constitutional powers that determine legislative-executive relationship in presidential system is reactive and proactive powers; second includes: veto power as reactive, issuance of executive order in certain situation as proactive; strength of the president's political party in the legislature; and the third criterion direct election of the president. Furthermore, Onyekaba (2021) cited Abonyi (2006) and added: nation's political culture; party system; and electoral arrangement; as other criteria that affect the relationship of the legislature-executive. Conversely in the legislature, agenda setting privileges, budget approval, ratification of appointment, frequency of vetoes, provision for overrides, also affects the relationship of the two arms of government. The study recommends the need for the two arms of government to understand their bounds and operates within the ambit of the guidelines. The study concluded that legislature-executive relationship is important but complex, multi-dimensional, leans on several factors, and conceives to balance political powers and statutory responsibilities of the legislature and executive branches of government.

Ogbu (2021) investigated post-legislative scrutiny as a standard for effective legislation. The general objective of Ogbu's research was to establish the necessity of conducting post-legislative scrutiny on legislation implemented to determine the effectiveness or otherwise. Meanwhile, the specific objectives included examination of the concept of

good legislation and the criteria to identify effective legislation in Nigeria; ascertaining whether legislation can be effective at all times in the face of technological advancement and other societal changes; establish factors militating against the effectiveness of legislation in Nigeria; determining the effectiveness or otherwise of the legal and institutional framework on post-legislative scrutiny; and identification of necessary measures to ensure effective legislation. Doctrinal method, comparative law method and case study method were deployed for the investigation. The doctrinal method involves examination and discussion of legal doctrines, legal principles and legal propositions. The primary data were sourced from analysis and interpretation of statutes and case laws. Similarly, the secondary data were obtained from textbook, journal, commentaries, periodicals and internet. The study revealed that quality legislation is a law that is clear, accurate, unambiguous and has adequate mechanisms for implementation, enforcement, impact and compliance; post-legislative scrutiny is desirable on legislation to correct contradictions, unambiguous, and accidental consequences in order to make the legislation effective in view of changes characterizes the society; post-legislative scrutiny evaluate technical aspect of the legislation and relationship with the policy outcomes, while ensuring compliance with grammatical and punctuation rules; establishes the effect of legislation and the extent that the law meets its objectives, and when legislation fails to achieve its intended purpose in practice, it is remedied; identified factors contributing ineffective legislation in Nigeria as absence of institutional arrangement to conduct legislative scrutiny, low performance of the executive body charged with the responsibility of reviewing federal laws due to reasons of poor funding, absence of provision for legislature to review legislation after enactment, increasing interest of the legislators in sponsoring new bills, lack of specific guidelines governing legislative drafting in Nigerian National Assembly, among others; the contribution of PLS to effective legislations in Belgium, UK, and other countries that have established it in their lawmaking processes, etc. The study recommended that PLS should be institutionalised in Nigerian federal legislature and established that PLS is a versatile principle for

lawmaking.

Ignatius (2018) investigated Bill Scrutiny and Testing: Nigeria's National Assembly in Perspective. The general objective of the research was to establish the process of bill scrutiny in the National Assembly. However, the specific objectives were: to examine the techniques employ for legislative scrutiny in the National Assembly; assess the operational environment of the legislative drafter; identify lapses in bill scrutiny; challenges faced by the legislative drafters in their duties; and make suggestions to enhance the process and result-oriented. Ignatius enumerated scrutiny as a mechanism to ascertain conformity or otherwise of draft legislative proposal to the legislative standard to the attainment of good legislation in terms of form, structure, and content in order to effectively achieve the objectives of the legislation. Ignatius itemised pre-legislative scrutiny and post-legislative scrutiny as two types of legislative scrutiny. Pre-legislative scrutiny involves examination conducts on the draft bill before it is presented for lawmaking process. Post-legislative scrutiny on the other hand, is evaluation of laws passed by the parliament after enactment and subsequent implementation. Bill testing is a phase in pre-legislative scrutiny that assesses the quality, purpose, reliability of the draft bill, among others before presentation for legislative process. The investigation adopted Thornton concept and principle of legislative drafting as its theoretical framework. Thornton concept and principle is a guideline that a drafter must comply with in order to design quality legislation, and comprises 5 stages of understanding; analysis; design; composition and development; and scrutiny and testing. The research utilized descriptive, comparative technique and statistical chart for analysis, having collected and organized data from the primary and secondary sources to answer the research questions. The research revealed that the Nigerian National Assembly does not have a drafting standard, the legislative drafters were few and poorly-trained, resource materials were inadequate, no up-to-date databases of: laws enacted by the legislature; subsidiary legislations; statutory instruments; executive orders; and the existing legislative scrutiny and research department

performance were irregularly involved in bill process. The research recommended that the department should be strengthen, drafting manual should be developed, capacity of legislative drafters and relevant staff be improved; update National Assembly's law databases; enhances record-keeping; set timelines for drafting and scrutiny; acquire drafting and scrutiny software analogous to detecting plagiarism in educational institution; reform legislative scrutiny and research department, and boost collaboration with the National Assembly legal services department. The essence of scrutiny is to perfect draft legislative proposal, confirms its objectives, form, standard, reflects public's inputs and for the executive (President) to assent the adopted legislation to law.

Yakubu (2017) researched on "the roles of committees in legislative process" leading to the passage of a bill into law in the National Assembly. The objectives included examination of contribution of legislative committees to the legislative process in the National Assembly; identification of factors affecting the performance of committees in National Assembly; and recommend ways for improving the performance of committees in the legislative process of National Assembly. The researcher used descriptive survey design with combination of data collection methods, namely: document examination, interview, questionnaire, participants' observation, to gather required data. A user evaluation methodology was also adopted to observe the committee staff, committee members and presiding officers of the National Assembly. These methods provided information on the roles of the committees, and challenges in the legislative processes that fail to observe relevant legislative standards. The targeted population was 348, systematic random sampling was adopted, and sample size was two hundred and twenty (220). Questionnaire and interview instrument were used. Two hundred (200) questionnaires were shared to the staff of the legislative committees, Chairmen, and presiding officers of the Senate and House of Representatives for filling. On the other hand, twenty (20) interviews were conducted for: Fourteen (14) committee Clerks; six (6) legislators, that is, four (4) Members of the House of Representatives and two (2) distinguished

Senators. The responses were analysed and interpreted with the statistical tools of percentage and frequency, aided by the SPSS software. The study revealed that the National Assembly legislative committees rarely comply with the legislative standards, due to inadequate availability of human and material resources; low knowledge of legislative principles, absence of relevant legislative manuals to guide lawmaking; non-adherence to available legislative standards leading executive to disapprove adopted legislation. Conclusively, the study recommended training and re-training of legislators and legislative staff on statutory standards for enactment of quality laws; provision of necessary working manuals; upholding selection standards in the deployment of legislators to committees, among others.

Ayiwartia (2016) conducted a study titled assessment of public participation [standard] in the lawmaking process in Nigerian National Assembly 2011-2015, with specific objectives of, analysing standards for the lawmaking process in Nigerian federal legislature; review the principle for public participation in the legislative process; evaluate the prospects of the participatory approach in lawmaking process; and suggest the way to improve public participation at the legislature. The research used descriptive method, collected data from primary source (Legislative Agenda, Bill Progression Charts, Legislative Committee Reports, and so on) and secondary source (textbooks, Newspapers, Legislative Journals, and Dictionaries). Document examination, and observation techniques served as the research instruments and analysis by content analysis method, and results represented by statistical tables and charts. Findings revealed that the Standing Orders of Nigeria's bi-cameral legislature does not enforced public participation as a lawmaking standard, and thus presiding officer uses discretion to invite citizens for public participation at Committee Stage. Accordingly, the study recommended that public participation is a lawmaking standard that legislature should entrench and practice as in advanced democracies that Nigeria models.

Theoretical Framework

The study adopted the doctrine of separation of powers, which Gahatraj (2021) claimed was developed by Aristotle in ancient Greece, and that political authorities divide it into three entities: legislative; executive; and judicial. Famous Montesquieu [1689–1755], John Locke (1632-1704) and James Harrington [1599–1658] were documented as the promoters of the doctrine of separation of powers as an essential element of the constitution of all countries; however, John Locke (1632-1704) was adjudged as the modern author of the doctrine in constitutional theory. All the aforementioned theorists, in addition posited that the three branches of government possesses separate powers, distinct responsibility, personnel, funding, and independent of the other. Furthermore, the three branches are equal, autonomous, monitors and controls the other actions, thus conduct checks and balances on one another.

The strengths and weaknesses of the doctrine of separation of powers: The state powers are shared among the three branches (Gahatraj, 2021). Ogbu (2013) claimed that no misuse of powers by any branch, separate funding and staffing. Also, citizens' rights and freedom are protected, while transparency and accountability are guaranteed (Clinton 2024). Furthermore, thorough deliberation of issues, policies and legislations becomes the order of the day. The weaknesses includes: the democracy's dictum "majority carries the votes, and minorities have their say" makes the doctrine domineering in nature, and possibility of delay in taking action (Glassman, 2016); partial independence; variation characterises policies interpretation and implementation from one country to country, (Sable 2020).

Justification for Adopting Doctrine of separation of powers

The doctrine concur with the division of political powers of legislative, executive and judicial arms, which holds and being practice in Nigeria, wherein powers are shared as prescribed in the 1999 CFRN (as altered). In addition, the three branches monitor, and control the other arms' activities. Furthermore,

the doctrine disallows the interest of Head and Agent of one branch to dominate public interest and common good.

RESEARCH METHOD

The descriptive research method was used, and the secondary research materials were sourced from the country's Constitution, legislative documents, scholars' work, textbooks, journals, and unpublished research work, were also obtained from the Internet. In-depth studies of the deployment of legislative standards and impacts on enacted laws of Australia, Indonesia, UK, USA, were noted and compared with the practices in Nigeria's federal legislature.

The population of the study was 3,280, comprises 2,811 pensionable legislative staff, 109 senators, and 360 elected representatives. Also, the study used simple random probability sampling technique that offered equal chances of selection from the population and in conjunction with Taro Yamani (1968) sample selection formula yielded 356 sample sizes, consequently, a total of three hundred and fifty-six (356) questionnaires were printed for data collection of primary data, thus open and closed-ended questionnaire and interview instruments were used. However, two hundred and fifty-eighth (258) (72%) questionnaire were validly returned and

analysed, respectively. In addition, Chi-square was used for data analysis, and hypotheses tests for the study.

$$n = \frac{N}{1 + N(e)^2}$$

Where n = Sample size; N = Population of the study (3,280); e = Margin of error at 5%; 1 = Constant. By substitution the respective values in the Taro Yamane (1968) relation stated above:

$$\begin{aligned} n &= \frac{3280}{1 + 3280(0.05)^2} \\ &= \frac{3280}{1 + 3280 \times 0.0025} \\ &= \frac{3280}{1 + 8.2} \\ &= \frac{3280}{9.2} \\ &= 356.5217 \\ &= 356 \text{ (approximately)} \end{aligned}$$

Table 3.1: Selected Sample of Study Participants in the Nigerian National Assembly

S/N	Respondents category	Respondents population per category	Sample proportion per category
1	House of Senate	109	$109 \times 356 / 3,280 = 11.8 = 12$ approx.
2	House of Representatives	360	$109 \times 356 / 3,280 = 39.07 = 39$ approx.
3	Legislative Staff	2,811	$109 \times 356 / 3,280 = 305.09 = 305$
	Total	3,280	356

Source: Field Survey, 2024

Test of Hypotheses

The Chi-square was used to test, and determined whether or not legislative standards have significant

use in lawmaking process in the Nigeria's bicameral federal legislature.

Null Hypothesis 1, H₀₁: Legislative standards have

no significant use in lawmaking process in the Nigeria's federal legislature.

Table 1: Respondents' comment to legislative standards use for Lawmaking

S/N	Variable	Frequency	Percent %
1.	Fast-track legislation standards	230	89
2.	Human rights standards	4	2
3.	Interpretative standards	6	2
4.	Legislative privilege and immunities standards	18	7
Total		258	100

Source: Field Survey, 2024

Determination of Null Hypothesis 1 using Table 1

Legislative standards	Fast-track legislation standards	Human rights standards	Interpretative standards	Legislative privilege & immunities	Total (Σ)
Observed (O_f)	230	4	6	18	258
Expected (E_f)	64.5	64.5	64.5	64.5	258
$(O_f - E_f)$	165.5	-60.5	-58.5	-46.5	
$(O_f - E_f)^2$	2,7302.5	3,660.25	3,422.25	2,162.25	
$\frac{(O_f - E_f)^2}{E_f}$	423.96	56.7	53.1	33.5	567.25

Chi-Square formula, $X^2 = \sum \frac{(O_f - E_f)^2}{E_f}$

Where: O_i = Observed frequency for each category

E_i = Expected frequency for each category

The degree of freedom (df) was computed from the relation $df = k-1$, Significant $\alpha = 0.05$.

In this case, $df = 4 - 1 = 3$

By substitution in the Chi-Square formula

$$(X^2) = \frac{(423.96 + 56.7 + 53.1 + 33.5)}{258} = 567.25$$

The critical value from the chi-square distribution table for $df = 3$, and $\alpha = 0.05$ is 7.815

Interpretation: Since the calculated X^2 (that is, 567.26) is much greater than the critical value of 7.815, therefore, the null hypothesis is rejected. ***Therefore, there is significant evidence that legislative standards are used for lawmaking function in the Nigeria's Eighth National Assembly.***

Testing Null Hypothesis 2, H_{02} : Legislative standards have no significant impacts on the quality of adopted legislation in the Nigeria's eighth federal legislature.

Table 2: Respondents' views on problems encountered at the public hearing

S/N	Variable	Frequency	Percent (%)
1.	Difficulty in accessing the venue of the public hearing	26	10
2.	Poor organization and improper coordination of the public hearing	56	22
3.	Inadequate space to accommodate the invited stakeholders, poor ventilation, etc.	140	54
4.	Insufficient Furniture and Equipment	36	14
Total		258	100

Source: Field Survey, December, 2024

Determination of Null Hypothesis H_{02} using Table 2

	Venue of Public Hearing	improper coordination	Inadequate Space	Insufficient Furniture & Equipment	Total (Σ)
Observed (O_f)	26	56	140	36	258
Expected (E_f)	64.5	64.5	64.5	64.5	258
$(O_f - E_f)$	-38.5	-8.5	75.5	-28.5	
$(O_f - E_f)^2$	1,482.25	72.25	5,700.25	812.25	
$\frac{(O_f - E_f)^2}{E_f}$	22.98	1.12	88.71	12.59	125.4

Chi-Square formula, $X^2 = \sum \frac{(O_f - E_f)^2}{E_f}$

Where: O_i = Observed frequency for each category

E_i = Expected frequency for each category

The degree of freedom (df) was computed from the relation $df = k-1$, Significant $\alpha = 0.05$.

In this case, $df = 4 - 1 = 3$. Substitute in Chi-Square formula to determine Null Hypothesis H_{02}

Chi-Square formula

$$(X^2) = \frac{(22.98 + 1.12 + 88.71 + 12.59)}{258} = 125.4$$

The critical value from the chi-square distribution table for $df = 3$, and $\alpha = 0.05$ is 7.815

Interpretation: Since the calculated X^2 value of 125.4 is higher than the critical value of 7.815, the null hypothesis is hereby rejected. There is significant evidence that legislative standard (Committee standard, in this case) that guide committee in public hearing was not fully applied to; thus, legislative standard impact the quality of legislation.

FINDINGS, CONCLUSION AND RECOMMENDATIONS

Findings

The under-mentioned were revealed from the study:

1. Legislative standards are the universal benchmarks that constitutional responsibilities vests on the legislature are evaluated. Legislative standards are derived from the Constitution, but developed in-house by the legislative body. Legislative standards protect the interests of the diverse groups, safeguards, and stabilize the legislature. The Standing Orders of Nigeria's bi-cameral legislature are legislative standards and emanates from section 62 (1) of the Nigeria's 1999 Constitution. It is a framework on the management of the legislative Houses' responsibilities, and contains procedure for the conduct of lawmaking process, legislative business, among others. It can be referred to as legislative procedure or principles. Findings revealed that fast-track legislation standards, legislatures privilege and immunities standards, interpretative standards, and human rights standards, were the common legislative standards deployed in the eighth national assembly for lawmaking process.
2. The effects of legislative standards on lawmaking includes: governs the process of the legislature in all assigned constitutional duties; guarantee adherence to procedure of statutory functions of the legislature; caution the executive from declining assent on bill needlessly as Constitution provides override power for legislature to counter the executive decision; device for the enforcement of roles in the three branches of government on lawmaking; strengthens the work of the legislative committees; and prism for the citizens to measure performance of the legislative body, and so on.
3. The legislative standards to improve lawmaking function of the Nigeria's federal legislature include: substantive standards -

development of standard manuals and compliance with in-house legislative rules on bill drafting; lawmaking standards (adherence to procedures, and guidelines on human rights provisions, international obligations; and general standards, which involves safeguarding legislative standards and best practices on lawmaking process, committee standards, fast track standards, as practised in advanced democracy such as United States of America's democratic system that Nigeria legislature emulates.

Conclusion

The Nigeria's Eighth National Assembly like other legislature utilised scanty legislative standards for lawmaking process. The legislative standards though, numerous, however, is essential to understand various standards to accomplish efficiency and effectiveness expected of legislative authority: ratification of appointment, parliamentary friendship, budget approval, legislative ethics and conducts, legislature-executive relations, etc. Successful parliamentary operations, necessitates enforcement of legislative standards, whereas violation of legislative standards attracts nullification of legislative output as in the case of huge disapproval of bills in the concluded eighth Nigeria's federal legislature.

Recommendations

- 1) The Nigeria's National Assembly should use substantial legislative standards in lawmaking process, reinforce human rights standards; and interpretative standards; and exercise guideline for handling exceptional situation that fast-track legislation standards connote, a part from legislatures privilege and immunities standards which this study recognised as standards deployed for lawmaking process.
- 2) Legislative compliance committee should be authorized to enforce legislative standards. Regular training of legislators and staff on usage of legislative standards; creation of drafting and

scrutiny offices augmented with office infrastructural facilities and adequate materials; and development of suitable manuals (drafting guide, public hearing handbook, committee framework, etc.). Furthermore, standing orders of the legislative houses should be reviewed; and sanction of committee for violating the legislative standards.

- 3) The legislative standards recommended to achieve improvement in lawmaking process includes: substantive standards; lawmaking standards; and supplementary standards.

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