

The Role of National Assembly in Nigeria's External Relations 2015-2021

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ABSTRACT

The role of public servants in nation building cannot be underestimated in any society but when their wellbeing is compromised, the attendant consequences affect the performance pace of development. The national assembly's role in Nigerian external relations was to ensure good image of the nation across the globe, and foster relationship between Nigerian and other nations, economically, socially and politically, Europe, Asia, etc. It is on this basis that the study examined the role of national assembly in Nigeria external relations. The study adopted intergovernmentalism as its theoretical framework while survey research design was adopted to sample the opinions from the population within and around Abuja metropolis and the national assembly who has knowledge on international relations. Questionnaires and key participant interview served as the primary source of data collection while journals, textbooks, government publication newspapers etc. were part of the secondary source. The study found that National Assembly has been able to mitigate certain challenges associated to Nigerian's living in diaspora as relate to their wellbeing and economic relations. The study recommends amongst other that: the effective participation of the national assembly in Nigeria's external relations is essential for the effectiveness of diplomacy and the role played by the national assembly should be redefined so as to make them live up to expectations.

KEYWORDS: Foreign policy, Diplomacy, Democracy, Democratization

INTRODUCTION

No nation can live in isolation all nations need the support of one another, socially economically and politically. It is the duty of representative body to look diligently into every affair of government and to talk much about what it sees. The legislature is meant to be the eyes and the voice of the citizens and to embody the wisdom and will of its constituent. The imperativeness of an of active legislature as an essential component of democracy in the 21st century has been recognized worldwide. It is perhaps for this reason that greater expectation is placed on the legislature to serve as an institution of restraint on the executive arm of 'government and an arena for crystallising popular participation in the broad governmental process. This defining feature of the legislature draws heavily from the relatively early influential and largely celebrated views of James Madison and Woodrow Wilson (Okanya, 2009).

Oversight function of the legislature as a case in point relates to the role of providing effective checks and balancing as well ensuring Nigerian has good relation with the global world, ensure effective implementation of government policies on external relations.

A treaty on the other hand is like a contract which expresses agreement between states and between states and other actors in the international system that creates legally binding rights and obligations for its parties (Harrington 2005). Treaties are usually concluded with the expectation that parties to the treaty would faithfully observe its obligations in good faith. In international law, this is expressed in the Latin maxim *pacta sunt servanda*, as codified in article 26 of the *Vienna Convention on the Law of Treaties*, 1969. However, due to increasing global interrelationship and interdependency, treaties have not only become an important source of law, but indispensable means by which states formalize their external relations (Christopher, 2017).

Nigeria is a signatory to the *Vienna Convention on the Law of Treaties*, 1969, and in pursuit of her foreign policy have since independence been a signatory to a number of international treaties. The 1999 Constitution (as Amended) locate treaty making powers within the jurisdictional purview of the Federal Government. As Nwabueze in Olutoyin (2014). Rightly notes the President, as the Chief Executive of the Federal Government is designated head of state... with the consequences that all his legally, relevant international acts are considered to be acts of his state... it comprises

in substance chiefly; reception and mission of diplomatic agents and consults, conclusion of international treaties, declaration of wars (Olutoyin 2014).

The internal dynamics and external relations of the legislature with other arms of government as well as other stakeholders in the lawmaking business go a long way in determining its effectiveness. The outcome of legislative performance is a combination of how the legislature is organized internally in terms legislative framework and its external relations. All over the world, there is semblance of legislative framework, institutional configuration and external relations of the legislatures with few variations. These variations are as a result of different socio-political and economic background of the countries.

Most African democracies tailored their legislative framework along the experiences of some western democracies especially those who had political history with them. In the case of Nigeria, the legislative framework was hitherto a mirror of the British experience until 1966 when democratic rule was truncated by the first military coup. Upon restoration of democratic rule in 1979, the country switched to presidential system dropping the Britain-like parliament for the United States' model (Bakare e'tal, 2018). In light of the forgoing that the study is set out to examine the roles of National Assembly in Nigerian External Relations.

Research Question

What role has the national assembly in Nigeria external relations?

Objective

Examines the role played by the national assembly in Nigerian external relation.

Proposition

The performance of national assembly's external relations has been effective.

Conceptual Clarification Foreign Policy the concept of foreign policy has been a huge one as there are avalanche of definitions by scholars of international relations on the subject matter. This is because these various definitions are guided by the perceptions and perspectives of scholars; but for easy understanding attempt would be made to extrapolates some simple but vital definitions of the subject matter (Agaba and Emmanuel, 2015).

According to (Philippe, 2007), Foreign Policy revolves around the redefining of state roles in the international system. The concept of foreign policy has been widely used in sociology and

Anthropology. Its application in political science has largely focus on an attempts to understand the domestic behavior of individual state (Philippe, 2007).

Foreign policy is centered around who is in charge, that is those in control of power (government) and deciding how is governed. Hence, Nigeria relates to other countries across the globe, furthermore, that on many occasions domestic foreign policy usually tourn out to be foreign policy and vis-à-vis foreign policy becomes domestic policy (Adeniji, 2018).

Diplomacy

As a result of the interdependent of nations within the global system, this is premised on the fact that no country can claim to be self-reliant and self-sufficient, the need for relation amongst Nation States have therefore become imperative. The expression of this inter-relation could be in the form of bilateral or multilateral cooperation either in the area of commerce, agriculture, industry, technology, military hardware/pacts just to mention but a few (Sale Dauda, 2017).

Democracy

Democracy: The origin of the concept of democracy is traceable to the Greeks. To them, “Demos” means “People” while “Kratos” means “Government/to rule”. Appadorai (1975), defines democracy as “a system of government under which the people exercise the governing power either directly or through representatives periodically elected by them”. Sahari (1965) is of the opinion that democracy is “the power of the people and the people and the rule of the people”. In a nutshell, in a democracy, the people are an important feature because they have the right to elect leaders who hold the government in trust and are accountable to them on a periodical basis (Salami, 2015).

Democratization

As the twentieth century ends, elected officials govern more countries than at any previous time in human history. Transitions to democracy have occurred with surprising frequency during the past 20 years, and a great deal has been written on the subject by enthusiastic and intrigued observers. It is observed in the third wave of democratization, that 85 authoritarian regimes have ended. These transitions have resulted in 30 surviving and mostly quite stable democracies (not including democracies in some of the new states created as a consequence of regime change); 9 democracies that lasted only a very short time before being overthrown; 8 cases in which there have been

elections and leadership changes but in which either democracy appears very unstable or important groups are excluded from competition; 4 descents into warlordism; and 34 new authoritarian regimes, (Barbra, 1999).

Empirical Literature

Scholars have extensively written about external relations of the national assembly. For instance, Kpah Lekie (2020) study ‘the roles and importance of organs of external relations in diplomacy, the study found out that Diplomacy remains a government’s process of communicating with foreign publics in an endeavor to bring about understanding for its nation’s needs and ideals, its culture and institutions and its national goals and current policies. Arowosagbe and Akomolafe (2016) ‘the foreign relations powers of the Nigerian national assembly’ The articulation and execution of foreign relations policies are no doubt responsibilities that fall squarely within the legal and constitutional competence of the executive in most democratic societies. Nevertheless, the place of the legislature in ensuring success can never be glossed over. They examine the nature and means of legislative powers on the foreign plane. It is discovered that the powers exercisable are derived from the basic legislative powers granted by the Constitution and that they are quite extensive. In another study by Ngara, (2016) study ‘The Nigeria’s national assembly and interparliamentary diplomacy; an assessment of the fourth and fifth national assembly’ Ngara, examines the role of the fourth and fifth Nigerian National Assembly in inter-parliamentary diplomacy. Using historical method, the paper established that the re-entry of the National Assembly into the global parliamentary circle following Nigeria’s return to democracy in 1999 was critical in the realization of certain foreign policy objectives. The study also includes: the restoration of Nigeria’s image; improved confidence in Nigeria’s democracy engendered the National Assembly to support laudable sub-regional peace initiatives. The studyr concludes that the Nigeria’s National Assembly must further strengthen its participation in inter-parliamentary assemblies so that Nigeria can maximize benefits from her foreign policy commitments. These benefits study was conducted using descriptive research design with questionnaire administered on respondents randomly selected from the study, the study finding showed that the national assembly contributed to some extent in Nigeria’s external relations.

Literature Gap

Knowledge is lacking regarding the impact of the legislature as the parliamentarians of the Nigerian National Assembly, as regards their contribution to national development. However, previous studies focused on the return of national assembly in inter-parliamentary and constitutional responsibilities of the national assembly in relation to foreign policies. The work by Ngara, (2016) on national assembly and inter-parliamentary diplomacy which trace the history of Nigerian national assembly when she was re-entered into the global parliamentary circle following Nigeria's return to democracy in 1999. The work by Arowosagbe and Akomolafe (2016) on foreign relation powers of the national assembly in articulation and execution of foreign relation policies are not doubt the soul responsibilities within the legal constitutional competence of the executive in most democratic societies. None of the Scholars in recent studies, to the best of my knowledge addresses the role of national assembly in Nigeria's external relation a gap which this study intends to fill.

Theoretical Framework

The study adopts Intergovernmentalism as its theoretical framework. In international relations intergovernmentalism treats states (and national government in particular) as the primary actors in the integration process. The intergovernmentalism approach claim to be able to explain both periods of radical change in the European Union because of converging governmental preferences and period of inertial because of diverging national interests. Intergovernmentalism is distinguishable from realism and neorealism because it recognized the significance of institutionalization in international politics upon governmental preference. Prominent amongst scholars of intergovernmentalism is Giumelli D. Major Assumption of the intergovernmentalism is that; (a) it suggests that intuitions of the state act as the actors of the state in international relations (b) it suggest cooperation amongst states, (c) Emphases on political leaders (d) Intergovernmentalism considers integration as a series of bargains between heads of states/government of the leading states in the region.

Critique of the intergovernmentalism is that the theory is hinged around the fact that it only takes into cognizance the role of states, because integration is less likely to depends on only one side (national government). Negligence or underestimating private sectors in contributing to national development.

From the forgoing therefore, it can be deduced that intergovernmentalism recognizes the national assembly hence the Nigerian National Assembly is an institution and amongst the third tiers of government, that is Executive, legislature and the judiciary. Since the legislature has the constitutional mandate to partake in an oversight function, such functions as external relations of Nigeria with other nations have been over seen by committees of the national assembly on foreign affairs matters since the inception of the fourth republic in Nigeria.

.NASS and Oversight Process in Nigeria

Researchers and scholars have written extensively on the role of national assembly in Nigerian external relations, according to (Okanya, 2011). The framework under which the National Assembly undertakes the scrutiny of the executive arm is embodied in the oversight mechanisms that have been established to guarantee a measure effectiveness and efficiency in holding the executive to account. Through the instrumentalities of Standing, select and Special Committees, the public accounts committee and the office of the auditor-general, the National Assembly has sought to monitor, review and investigate executive intentions and activities. The oversight covers such areas as policy, appropriation and accounts, foreign policy, and instances of poor administration and noncompliance with legislative intent and protection of individual rights and liberties.

Policy Oversight

The executive arm of government established itself over the years as a dominant institution through the instrumentalities of military rule. However, since the return to democracy, the National Assembly has striven to make inputs in the national policy process. It has through its policy oversight responsibilities resisted, influenced, or amended some of the crucial pieces of legislations brought before it for consideration.

Legislature and Democracy

According to Oko (2014), in a constitutional democracy, legislatures are established to represent the people and the survival of democracy is determined by the legislators. Quoting an Israeli Court Justice, Oko (2014), maintained that “The foundation of democracy is a legislature elected freely and periodically by the people. Without majority rule, as reflected in the power of the legislature, there is no democracy”. Furthermore, the African Governance Report eloquently summarizes the

functions of the legislature in a democracy: Another key function of the legislature is to act as a forum for representatives of the people to articulate the needs and aspirations of their constituencies, express their grievances and anxieties, demand that wrongs done by the executive be rectified, debate public issues and policy options and take decisions in the interest and welfare of all people in the country (U.N Econ. Commission for Africa, *Africa Governance Report*, 123(2005) referenced in Oko,(2014).

The legislature is arguably the most important organ in a democratic setting and what happens in parliament is critical to the sustenance of democracy. Edmund Burke (1729-1797) was a philosopher and political theorist and was the first theorist to comment on the legislature. He submitted that the emergence of the legislature will not bring about instability. He believes that members of the legislature are those who have general ideas on how a society should be governed and that members of the legislature should have the interest of the society at heart.

Nature, Structure and Function of Legislature

The nature and composition of the legislature varies throughout history and it varies at any time from country to country. Legislators represent their society and so they are made up of members who resemble their constituencies. In the United States Congress, for example, the legislature is composed of white, middle-class males who are lawyers by training, reside in the constituencies they represent; and belong to opposing political parties. In Great Britain, members of parliament do not necessarily reside in their constituencies and in Nigeria certain social and political factors dictate the position.

In order to build a virile democratic structure, the legislature must be properly composed with legally qualified and highly motivated membership in terms of both academic and professional qualifications and with varying degree of experience in both private and public sector of the polity in order to build a strong central government and a very strong nation. In most parts of the world, legislatures have the power to establish their rules to guide their conduct in running the affairs of the House. For instance, Article 1 of the American Constitution outlines the basic structure of the Congress and authorized each House to establish rules of procedure for its operation. In Nigeria, the legislature is guided by the Constitution and certain social and political factors. Conditions for membership of the National Assembly are found in Section 65 and 66 of the CFRN 1999, a person shall be qualified for election if:

1. He is a citizen of Nigeria and has attained the age of thirty-five years; and the House of Representatives', if he is a citizen of Nigeria and has attained the age of thirty years.
2. A person shall be qualified for election under sub-section (1) of section 66 if he has been educated up to at least school certificate level or its equivalent, and he is a member of a political party and he is sponsored by that party. Constitutionally, membership of the legislature is based on popular election and the qualification of the electorates is based on universal suffrage.

Structure

The National Assembly in carrying out its operation is assisted through an administrative structure that has been provided for by the Constitution. Section 51 of the CFRN 1999 describes the details of the administrative structure of the National Assembly under the Office of the Clerk and other staff.

The National Assembly Service Commission Act prescribes the method of the appointment of the Clerk and other Staff of the National Assembly. The Constitutional provision is affected by the National Assembly Service Commission Act Cap No. 7 Laws of the Federation of Nigeria (LFN) 2004. Section 7(b) of the Act provides for the offices of:

- i. The Clerk to the National Assembly
- ii. The Deputy Clerk to the National Assembly
- iii. The Clerk of the Senate
- iv. The Clerk of the House of Representatives
- v. The Deputy Clerk of the Senate
- vi. The Deputy Clerk of the House of Representatives
- vii. All other offices in the service of the National Assembly

Functions

Heywood (2003:316) identified the following as the principal functions of the legislature; representation, legislation, scrutiny and oversight, political recruitment and leadership development. Other scholars have included conflict resolution and quasi-judicial and administrative functions among the roles of legislatures.

Representation: Legislatures serve as conduits that connect the people to their government.

Polsby (1975) quoted in Hamalai (2014) calls the legislature the “nerve-ending” of the polity. Modern day legislatures have adopted the culture of constituency representation. This applies particularly in the US Congress where the primary concerns of both Representatives and Senators are to bring home the bacon, i.e., supporting issues that will bring benefits to their constituencies.

Legislation: The Constitution specifically grants law-making powers at the federal level to the National Assembly. Section 4 of the CFRN 1999 (as amended) provides that legislative powers of the Federal Republic of Nigeria shall be vested in the National Assembly, which consists of the Senate and the House of Representatives. The National Assembly is empowered to legislate for the peace, order and good governance of the federation or any part of it with respect to any matter on the exclusive legislative list. The National Assembly also has power to make laws over matters on the concurrent list reserved for it and on such other matters specifically conferred on it by the provision of the Constitution.

Oversight: The whole idea of democratic governance is that government should be accountable to the people. Accountability and restraint are generally regarded as the substance of democratic governance. Democracy flourishes when a government is open, transparent, accountable and sensitive to public opinion. In consonance, Hamalai (2014:21) is of the opinion that “over the years, legislatures have become scrutinizing bodies, the principal role of which is to deliver responsible or accountable government”. Monitoring the actions of the executive ensures that they are carried out according to legal provisions and with greater efficiency. She further notes, however, that “the executives are not always willing partners in this process.

The Origin and Evolution of Inter-Parliamentary Diplomacy in Nigeria

Ngara (2016) Study. *Origin and Evolution of Inter-Parliamentary Diplomacy* That, traditionally parliaments have always maintained relations on the basis of reciprocal courtesy. This used to take the form of invitations, visits and fact-finding missions mainly for the speakers of assemblies or their representatives (Committee for Parliament and Public Relations CPPR Report 2006). The emergence and growth of international parliamentary institutions (IPIs) is a phenomenon that developed mainly in the second half of the 20th century. Nonetheless, the history of IPIs is even far back in time. Indeed, their origin, date back to the creation of the Inter-Parliamentary Union (IPU) in 1889 (Cofelice 2012, :32). The IPU originated in Europe as an association of individual

parliamentarians brought together by mutual interests for securing peaceful resolutions to international disputes. It was initiated by two parliamentarians, William Randal Cremer (United Kingdom) and Frederick Passy (France). The first inter-parliamentary conference on International Arbitration was convened in 1889 in Paris, France and attended by nine (9) countries. Over the years, the IPU has evolved and expanded into 139 member countries with a permanent secretariat in its headquarters in Geneva (Salim 2010; Committee for Parliament and Public Relations Report 2006). Throughout the 20th Century, the IPU survived as a unifying force for representatives of parliaments of sovereign states. Its main objectives as specified in Article 1 of its Statute is to:

...promote personal contacts between members of parliament, constituted into National Groups, and to unite them in common action to secure and maintain the full participation of their respective states in the firm establishment and development of representative institutions and in the advancement of the work of international peace and cooperation, particularly by supporting the objectives of the United Nations. With this end in view, the IPU shall express its views on all questions of an international character suitable for settlement by parliamentary action and shall make suggestions for the development of parliamentary institutions, with a view to improving the working of those institutions and increasing their means of action.

. Since the end of the Cold War, there has been a dramatic growth of public and parliamentary diplomacy. Regional integration processes have facilitated the “parliamentarization” of world politics because of the emergence of hybrid areas that are not only “intermestic” but, in the case of the EU, “communitarian”, and thus, transcend the national–international dichotomy (Malamud and Stavris 2011, p. 103). This development is marked by the proliferation and consolidation of regional and other international parliamentary assemblies (Malamud and Stavris 2011).

The Nigerian National Assembly and Inter-Parliamentary Diplomacy; According to Ngara, (2016) is in Pursuant to Nigeria's foreign policy objectives as laid out in section 19 of the Constitution of the Federal Republic of Nigeria as well as the mandate of the National Assembly on inter-parliamentary relations as detailed in the Assembly's Standing Rules, Nigeria's National Assembly, shortly after its inauguration on the 6th and 22 June, 1999 resolved to renew its membership of international parliamentary organizations. Consequently, it made formal applications to the IPU, CPA, and subsequently APU, West African Parliamentary Union (WAPU), and African Caribbean and Pacific (ACP)/European Union (EU) Joint Assembly for membership and re-affiliation (Ngara, 2016).

(Christopher, 2016) in his view that, Nigeria was re-admitted into IPU and CPA respectively in late 1999. This step was significant to the extent that it did not only announce Nigeria's democratization to the rest of the world, but signaled the country's readiness to resume its traditional frontline role in global affairs. The Nigerian National Assembly also connected itself to other global parliamentary organizations and institutions such as the Afro-Arab Parliamentary Association (AAPA), Association of Senates, Shoora and Equivalent Councils in Africa and the Arab World (ASSECA). From 1999 to 2007, the National Assembly also played leading and pivotal roles in the establishment of the Pan-African Parliament (PAP) in 2004 and ECOWASParliament in 2006 respectively (Christopher, 2016).

The roles of the Nigerian Assembly in the emergence of these parliamentary institutions in Africa is not unconnected with the country's traditional, frontline roles in regional and continental politics since independence in 1960. These roles were in line with the enshrined afro-centric thrust of Nigeria's foreign policy. The creation of these regional parliamentary bodies expanded the platforms for the Nigeria's National Assembly and other parliaments on the African continent (generally regarded as late comers in inter-parliamentary diplomacy) to engage in diplomacy and contribute to good governance, democracy and socio-economic development. The participation of the Nigeria's National Assembly in some of these international parliamentary assemblies and conferences notably the Commonwealth Parliamentary Association (CPA) and the InterParliamentary Union (IPU) culminated in the domestication of some important treaties and conventions in Nigeria (Christopher, 2016).

Foreign Relations Power Basis

Arowosagbe and Akomolafe, (2016) in their study *on Foreign Relations Power Basis*, that All legislative assemblies have three fundamental powers, namely, legislative power, budgetary power, and democratic oversight powers.

Legislative Power

This refers to the power of the parliament to make laws. Section 4 (CFRN, 1999) gives the National Assembly (consisting of the Senate and the House of Representatives) power to make laws for the peace, order, and good government of the federation or any part thereof. This legislative power at the state level is given to the State House of Assembly (Section 4(7), CFRN, 1999).

Budgetary Power

The parliament's power here extends to the scrutiny of the budget submitted by the executive and its consequent passage as the annual Appropriation Act or supplementary Appropriation Act (Sections 81 and 121, CFRN 1999). This is so as no money may be withdrawn from the Consolidated Revenue Fund or other public fund of the federation except to meet expenditure that is charged upon the fund by the Constitution or as approved by an Appropriation Act duly passed by the National Assembly (Section 80, CFRN 1999).

Democratic Oversight Power

Section 88 (CFRN, 1999) gives each house of the National Assembly power to direct or cause to be directed an investigation into;

- a. any matter or thing with respect to which it has power to make laws and
- b. the conduct of affairs of any person, authority, Ministry or government department charged, or intended to be charged with the duty of, or responsibility for, executing or administering laws enacted by the National Assembly; and disbursing or administering moneys appropriated or to be appropriated by the National Assembly. This oversight power is exercisable for the purpose of making laws with respect to any matter within its legislative competence and correcting any defects or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it.

The foreign relations power of the Nigerian National Assembly is thus a derivative one, flowing from the above three fundamental legislative powers, and as we shall see, it is mainly drawn from

constitution Arowosagbe and Akomolafe, (2016). **Foreign Relation Powers of the National Assembly**

Arowosagbe and Akomolafe, (2016) They further Examines the *Means of Exercising Foreign Relations Powers by the Legislature* by this that the, *Legislations With Foreign Relations Implications* in The National Assembly is the repository of the entire legislative power of the federal government, which is defined to extend to all the items on the exclusive legislative list set out in Part I of the second schedule to the Constitution, to the items on the concurrent legislative list listed in Part II of the said second schedule to the extent therein stated, and to the matters over which it is given legislative competence in the body of the constitution (Arowosagbe and Akomolafe, 2016).

Many of the items over which the National Assembly exercises legislative competence are matters which have direct or indirect implications on the country's foreign relations.

Thus, whenever the National Assembly legislates on any of these items, it thereby makes its contribution to the nation's foreign relations policy. Some of these items on the exclusive legislative list are arms, ammunition, and explosives (Item 2); aviation, including airports, safety of aircraft, and carriage of goods by air carriage of goods by air (Item 3); awards of national titles of honor, decorations, and other dignities (Item 4); borrowing of money within or outside Nigeria for the purpose of the federation of any state (Item 7); citizenship, naturalization, and aliens (Item 9); copyright (Item 13); customs and excise duties (Item 16); deportation of persons who are not citizens of Nigeria (Item 17); diplomatic, consular, and trade representation (Item 20); exchange control (Item 24); export duties (Item 25); external affairs (Item 26); extradition (Item 27); fishing and fisheries other than fishing and fisheries in rivers, lakes, waterways, ponds, and other inland waters within Nigeria (Item 29); immigration and emigration from Nigeria (Item 30); implementation of treaties relating to matters on the exclusive legislative list (Item 31); maritime shipping and navigation (Item 36); nuclear energy (Item 41); passports and visas (Item 42); and trade and commerce and in particular (a) trade and commerce between Nigeria and other countries including import of commodities into and export of commodities from Nigeria and trade and commerce between the states (b) establishment of a purchasing authority with power to acquire for export or sale of designated agricultural produce in world markets: (c) inspection of produce to be exported from Nigeria and the enforcement grades and standards of quality in respect of produce so inspected (Item 62). As can be seen from the above list, the foreign relations power exercisable

here by Nigeria's National Assembly is quite extensive. The executive cannot therefore afford not to carry the two national legislative assemblies along in the formulation and execution of its foreign policies as such an action could prove fatal to the success of the policy especially where it requires incorporation into a federal legislation.

It should be noted that in Nigeria, where the president fails to sign a bill passed by the Senate and the House of Representatives within 30 days, each house may thereafter pass the bill into law by

two thirds majority vote, and the president's assent shall be thereby dispensed with (Section 58, CFRN, 1999). The exercise by Nigeria's National Assembly of its law-making powers is, however, often circumscribed by the overbearing influence of the executive on legislative processes.

Implementation of Treaties

A very comprehensive and apt definition of treaty (Abass, 2012; Aust, 2010; Crawford, 2012) perhaps is that contained in a provisional International Law Commission (ILC) draft on the law of treaties by which a treaty is conceived as any international agreement in written form, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation (treaty, convention, protocol, covenant, charter, statute, act, declaration, concordat, exchange of notes, agreed minute, memorandum of agreement, modus vivendi or any other appellation), concluded between two or more States or other subjects of international law and governed by international law. (ILC, 1962/II, 161) Article 2 of the Vienna Convention on the Law of Treaties however, defines treaty as 'an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation' (Shearer, 1994).

A treaty does not become part of Nigeria's domestic law unless and until it is specifically incorporated as such by a legislative means, that is, via an enabling Act of the National Assembly. Section 12 of the 1999 Constitution states the following:

1. No treaty between the federation and any other country shall have the force of law except to the extent to which any such treaty has been enacted into law by the National Assembly.
2. The National Assembly may make for the federation or any part thereof with respect to matters not included in the Exclusive Legislative List for the purpose of implementing a treaty.
3. A bill for an Act of the National Assembly passed pursuant to the provisions of Subsection (2) of this section shall not be presented to the president for assent and shall not be enacted unless it is ratified by a majority of all the House of Assembly in the federation. The first thing to note here is that Nigeria adopts a dualistic approach with regard to treaty law. Dualism is a legal theory that sees domestic law and international law as distinct and independent of each other (Crawford, 2012). The two systems, it is maintained, regulate different subject matters. International law

regulates the relations of sovereign states, while municipal law regulates affairs internal to the state. Accordingly, dualists hold that the two systems are mutually exclusive and can have no contact with and no effect on each other. If international law is applied within a state, it must therefore be because it has been expressly incorporated into municipal law (Abass, 2012; Harris, 2010; Wallace, 1997).

Hence in Nigeria, before a treaty can have the force of law, the National Assembly (Senate and House of Representatives) must enact it into law. The National Assembly by so doing may modify the treaty as it deems fit or make the enacted Act in perimetria with it. The legislative competence of the National Assembly in treaty matters extend to items ordinarily in the legislative competence of State Houses of Assembly (whether on the Concurrent Legislative List or not) provided that no Act would thereby be enacted without its first being ratified by a majority of all the Houses of Assembly in the country.

Declaration of War and Deployment of Troops

The Nigerian National Assembly has power to control through legislation the establishment, composition, command, and operational use of the Armed Forces despite the fact that the general control of the Armed Forces is vested in the president as the commander-in-chief of the Armed Forces of the Federation (Sections 217 and 218, CFRN, 1999). Section 218(4) states, “[T]he National Assembly shall have power to make laws for the regulation of—(a) the powers exercisable by the president as Commander-in-Chief of the Armed Forces of the Federation.” As some of the main purposes of the existence of the Nigerian Armed Forces are to defend Nigeria from external aggression, maintain its territorial integrity, and secure its borders from violation on land, sea, or air, it is obvious that it may be necessary at any point in time to use the armed forces to prosecute a war against a foreign state. To what extent can the president do this without parliamentary approval? Section 5(4) CFRN (1999) provides that the president shall not declare a state of war between the Nigerian federation and any other country except with the sanction of a resolution of both Houses of the National Assembly sitting in a joint session. It also subjects the deployment of the armed forces on combat duty outside Nigeria to the prior approval of the Senate. Thus, before the Nigerian president can successfully declare war against a foreign state, he must

first obtain the consent of both the Senate and the House of Representatives. This is crucial as (a) war is a critical instrument of foreign policy employable only when all other peaceful diplomatic means have been exhausted and had failed to yield any fruitful result, (b) prosecution of a war of any kind usually results in high material and human loss to a nation, and (c) there must be a justifiable cause acceptable (such as self-defense or humanitarian reasons) under international law. It is believed that the National Assembly will never give its consent to such a declaration unless it is the only option left. The second paragraph of Section 5(5) talks on the deployment of the armed forces “on combat duty outside Nigeria.” This situation, among others, aptly captures the deployment of troops for peace-keeping or peace-enforcing operations whether at the global (United Nations), regional (Economic Community of West African States [ECOWAS]), or any other level. Before this can be done, the prior approval of the Senate must be obtained.

Parliamentary Diplomacy

Various forms of parliamentary diplomacy exist. First are bilateral parliamentary exchanges, which have increased in number and importance worldwide. Here, members of parliament of a country engage in diplomatic visit to the members of parliament of another country. The purpose may be to broaden their knowledge of parliamentary process obtainable elsewhere or to lobby the parliamentarians on a matter(s) of mutual interest, or it may be a simple courtesy visit.

Members of Nigeria’s National Assembly have, for example, undertaken such visits to the U.S. Congress and the U.K. Parliament. A diplomatic visit may also be undertaken by members of parliament to the government of a foreign country. This is often done to complement the efforts of the national government on the foreign plane. For example, the National Assembly sent a delegation abroad to key members of the Paris Club in the heydays of the campaign embarked upon by the Obasanjo administration on debt forgiveness to complement government’s efforts. This especially applies to the ratification of international treaties and the adoption of legislation implementing them at the national level. Parliaments' means to direct and control the conduct of foreign relations have become or are becoming more diverse with the strengthening of Parliaments' general position. Growing parliamentary diplomacy has created a new and more significant level in the conduct of international relations. Regionally defined supranational forms

of decision-making appear to have awakened Parliaments to increase their role in the supranational decision-making which is generally in the hands of Governments.

In his study, Tiitinen, point *out the role played by the Parliament in foreign policy decisionmaking firstly*; he argued that, *In the preparatory phase* Parliaments do not generally play a formal role in the preparation of foreign policy matters, i.e., factual foreign policy measures and treaties. On the other hand, Parliaments generally receive the information they require with regard to foreign policy matters in the preparatory phase through the use of general parliamentary means of influence, which include discussions in advance initiated by the Government or Parliament, oral and written questions and even interpellations and the right to request documents.

In most Parliaments the foreign affairs committee plays a key role in supervising matters which are in the preparatory phase. Certain countries have created formal procedures aimed at avoiding confrontation and maintaining the tradition of national consensus in foreign policy matters.

Denmark, Finland, Norway, Sweden and Switzerland have such procedures, for example. According to the Danish constitution, the Government must consult with the foreign affairs committee when matters are being prepared and before any decision of major importance is taken in foreign policy matters. Secondly; *In decision-making* Decision-making power in day-to-day matters appears everywhere to be in the hands of the Executive. There are special regulations regarding Parliament's influence and the need for approval in decisions regarding war and peace, changes in national borders and allowing foreign military forces access to or transit through national territory. In connection with the signing of treaties, Parliament's role is most often connected and, in many cases, limited to Parliament's traditional decision-making role in the use of legislative and budgetary power and otherwise matters which come within Parliament's remit, such as treaties which in one way or another limit national sovereignty. Treaties which include significant obligations or are otherwise especially important for the country in question can also require the approval of Parliament. These are described in different terms in various countries and include, for example, treaties pertaining to membership in international organizations (e.g. Andorra, Egypt, Republic of Korea, Norway, Sweden and Switzerland).

Methodology

The study adopts a survey research design. This is the most frequently used mode of observation in the social science today. It is the type of research that social scientists adopt when collecting original data for describing a population too large to observe directly. According to Onyishi and Omemma (2010:16), survey research is imperative in the social science because: More often than not, the researcher finds that he cannot possibly study all the subjects or items in the population. Hence, the survey researcher selects a sample from a subject of the population using some techniques of sampling. In other words, survey research is the type that studies a group or items by collecting and analyzing data from only a few people or items considered to be representative of the entire group.

Method of Data Collection

The study used both primary and secondary methods of data gathering. The *primary method* of data collection was used to generate data from the field of study through structured questionnaire to elicit response from the respondents who are strictly have knowledge on foreign affairs and external relations. One of such reasons is that it can gather more information and increase commitment from different perspectives in the target audience. On the other hand, the *secondary*

source of data collection was also employed in the study. The empirical and theoretical literature of the study were derived from scholarly journals, government publications, seminar papers, conference papers and useful internet sources.

Population of the Study

The population of the study is 4,006 (469 national Assembly members of the Federal Republic of Nigeria, 1249 internal staff of the national assembly, 2234 staff of the Ministry of Foreign Affairs and 54 serving corp. members serving at the national assembly).

This is represented in the following table:

Table below shows: Sample Size and Proportional Distribution

Institutions	Population	Sample Size	Percentage
National Assembly	469	42	12%
Min. of Foreign Affairs	2234	197	56%
NYSC	54	5	1%
Internal Staff Of N A	1249	110	31%
Total	4006	354	100%

Source: SURVEY N A and Min, of F A

Sample Size and sampling Technique

The sample size for the study is 354 derived from 4006 of the entire population of the study using Krejcie and Morgan (1970) table for determining sample size from a given population. For proportional representation of the institutions under study, Bowler's proportional allocation formula was used to select the sample size from each area of study in relation to its proportion in the population as shown below: $n = (n^1)$

N

Where;

n = the sample size n1 = No of respondents in each town. N = Population

$$N=1 \text{ (National Assembly)} = \frac{354 (469)}{4006} = 42$$

$$N=1 \text{ (internal staffs of the N A)} = \frac{354 (1249)}{4006} = 110$$

$$N=1 \text{ (ministry of foreign affairs)} = \frac{354 (2234)}{4006} = 197$$

$$N=1 \text{ (NYSC members of N A)} = \frac{354 (54)}{4006} = 5$$

Sampling Technique

For the purpose of this study, Purposive sampling technique will be adopted to distribute questionnaires. These staff and the principal officials have access to important information on the Role of National Assembly in Nigerian External Relations. This is to give the researcher a valid stand for making conclusion based on the findings reached.

Question The National Assembly has played a vital role in Nigeria’s external relation

OPINION	FREQUENCY	PERCENTAGE
SA	28	8.1%
A	71	20.2%
D	163	47.2%
SD	102	29%
TOTAL	345	100%

Source; field survey, 2022.

Discussion of Findings

The presentation and analysis of data have revealed some significant and fundamental findings on the Role of National Assembly in Nigeria’s External Relations 2015-2021. Thus, the following findings were revealed On the roles played by the National Assembly in regards to Nigeria external relations, the study revealed that, National Assembly has not played significant role in

relation to Nigeria external relations, thus, the interventions of National Assembly in relation to Nigeria external relations has helped to create positive image to Nigerians at the global village and

also, the National Assembly crucial roles has aids in the attractions of foreign direct investment and firms. These findings are corroborated by the findings of (Okanya,2009). Were he argued that the national assembly is design to effectively and actively contribute to nation building and consolidate democracy, hence an Important aspect of the representatives who over sees government actions and ensure accountability.

CONCLUSION

The study is an examination of the roles of national assembly in Nigerian external relations vis-avis the foreign relations powers of the Nigerian National Assembly in the general and specific contexts. It is observed that Parliament's foreign relations power draws largely from its three fundamental powers, namely, legislative, budgetary, and democratic oversight powers. The Nigerian National Assembly in specific terms exercises its foreign relations powers through legislations with foreign relations implications, approval of presidential appointments, implementation of treaties, declaration of war and deployment of troops, parliamentary diplomacy, and control over public finance. Its foreign relations powers apart from through legislations are also exercised through plenary sessions, debates, motions, resolutions, committee hearings, and investigations.

It should be noted that owing to the confidentiality generally associated with foreign policy matters, parliamentary control of foreign policy in a large number of parliaments lies mainly in the hands of the foreign affairs committee. This committee can require the government to submit reports on specific foreign policy issues and request related documents. For example, in the Greek Parliamentary policy, the parliament can appoint special committees of inquiry for particular purpose, and that of Italian Parliamentary committee has specific investigatory and supervising functions. This thus also obtains in Nigeria. The National Assembly (parliament) through its investigative and oversight power can thus overcome the constraints of secrecy that often attend the conduct of a country's foreign policy.

RECOMMENDATIONS

Having carefully examined the topic at hand, and having carefully analyzed the data, it is therefore, left for the researcher to put forward some suggestions which will help to enhance the legislative

continuum, indeed foster the international developmental lifeline of the nation. Some of these recommendations are:

- (1) The role of Nigerian National Assembly should be redefined and to make them live up to national expectations. In this respect, Nigerian government must take pro-active actions at empowering the overseas missions.
- (2) The organs of external relations should be well staffed with competent hands, the training programme for diplomats should be reviewed to give them the necessary knowledge to practice the art and science of diplomacy because they are at the forefront of Nigerian foreign policy implementation.
- (3) The organs should also be well funded by the government to meet their ever-expanding tasks and responsibilities.
- (4) Laws should be enacted by the Nigerian legislature for proper regulation of diplomatic relations and practices in Nigeria. The only major law on diplomatic relations in Nigeria is the Diplomatic and Privileges Act, Cap D9, Laws of the federation of Nigeria.
- (5) The committee on foreign affairs in the National Assembly should also be well funded by the government to meet their expending tasks and responsibilities. This will enable them take quick actions in case of any emergency like the case of xenophobic attack of Nigerians by South Africans.

It is the hope of the researcher that once these steps are carefully taken the efforts on the roles of national assembly and committees on foreign affairs of the Nigerian National Assembly will be taken to a higher level for the overall external relations of Nigeria.

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