

# FROM THE LEGISLATURE TO THE EXECUTIVE



**Quarterly Policy Review**

Q1, March 2024



Quarterly Policy Review

**From the Legislature to the Executive (FLEX)**

Dynamics of Nigeria's Leadership Recruitment Pipeline and  
Implications for Governance

(FLEX Series, No. 1)

March 2024

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# **i. Glossary of Terms**

AC - Action Congress

ACE - Accountability, Character and Exemplary (values)

ACN - Action Congress of Nigeria

AD - Action for Democracy

AMAC - Abuja Municipal Area Council

ANPP - All Nigeria Peoples Party

APC - All Progressives Congress

APP - All Peoples Party

BOFIA - Bank and Other Financial Institutions Act

CNG - Compressed Natural Gas

FCT- Federal Capital Territory

FEC - Federal Executive Council

FHA - Federal Housing Authority

FLEX- Former Legislators in the Executive

KPIs - Key Performance Indicators

LNG - Liquefied Natural Gas

MDAs - Ministries, Departments and Agencies

MTEF - Medium-Term Expenditure Framework

MVP - Most Valuable Parliamentarian

NDDC - Niger Delta Development Commission

NDE - National Directorate of Employment

NEDC - North-East Development Commission

NIMASA - Nigeria Maritime Administration and Safety Agency

NIPOST - Nigerian Postal Service

NNPMO - Nigerian Network of Parliamentary Monitoring Organisations

PDP - Peoples Democratic Party

PIB - Petroleum Industry Bill

PNG - Piped Natural Gas

QPRs- Quarterly Policy Reviews

SAN - Senior Advocate of Nigeria

SDP - Social Democratic Party

SGF - Secretary to the Government of the Federation

SWOT - Strengths, Weaknesses, Opportunities, and Threats

TSG - Tinubu Support Group

ZIPs - Zonal Intervention Projects

## ii. Acknowledgement

**OrderPaper** is grateful to the committed team that produced this QPR. Special recognition to Regina Udo, Senior Programme Executive, for her tenacious and detailed disposition in leading the team. We are grateful to Dr. Samson Osagie and Dr. Dakuku Peterside for their encouragement and contributions to this work. Our work will not get the needed reach and impact without the support of the media. Accordingly, we offer immense gratitude to our colleagues in the media for always being available to grant us space to ventilate and amplify. To our numerous stakeholders, especially the National Assembly and organised civil society, we appreciate your support in promoting our commitment to transparency, accountability and productive service delivery in the legislative governance of the country.

## iii. About OrderPaper Nigeria

OrderPaper is Nigeria's foremost independent parliamentary monitoring organisation and policy think tank. Our organisation bridges the gap between people and parliament and serves as the lead organisation and secretariat of the Nigerian Network of Parliamentary Monitoring Organisations (NNPMO).

### Our Vision

To be the most authoritative organisation of choice and reference for parliamentary reporting, advocacy, and public policy advisory in Africa.

### Our Mission

To Provide simple and reliable parliamentary data that empowers citizens to take action and enable informed decision-making by public and private entities.

### Our Theory of Change

At **OrderPaper**, our theory of change is that the Parliament will fulfil its mandate of lawmaking, oversight and representation to the people if the right crop of representatives is elected to office; the institution is provided with appropriate legislative strengthening, and citizens are well-informed and capacitated enough to demand transparent, accountable, and optimal service delivery. To achieve this, we have designed and marshalled our interventions around in-depth parliamentary reporting and analyses, performance appraisals and legislative accountability, policy reforms, advocacy and advisory. Our interventions are enhanced by wide-scale consultations, collaborations, and partnerships between and among stakeholders such as parliaments, the executive, private sector, media, development partners, civil society organisations, and community and citizen groups, among others.



## **iv. About the QPR Series and this FLEX Edition**

OrderPaper, as Nigeria's foremost Parliamentary Monitoring Organisation (PMO) and Convener/Secretariat of the NNPMOs, publishes an expert position on a specific policy issue every quarter of the calendar year. These insightful publications are called Quarterly Policy Reviews (QPRs). They offer focused interrogations of identified policy themes, draw relevant conclusions, and make practical recommendations that positively impact governance and public service delivery. In line with our niche, the QPRs tend to highlight legislative decisions, activities, and possibly legislators' conduct that either address or exacerbate governance challenges. These scholarly contributions aim to advance healthy public debate and expand the space for alternative solutions.

This particular QPR focuses on Nigeria's leadership recruitment challenge and implications for governance and democratic consolidation. It highlights the transition of political actors from parliament into the executive branch of government. The rationale for this work stems from a need to draw attention to the growing trend of legislators (both incumbent and past) transitioning into the executive branch of government and the implications and potential outcomes of this practice.

This edition of our QPR aligns with OrderPaper's think tank role of producing significant knowledge products to stimulate healthy public debates and advance democratic governance by helping stakeholders grasp the undercurrents behind the transition of political actors from the legislative to the executive branch of government.

# v. Foreword

I consider it a great privilege to be asked to write this foreword for the maiden edition of the FLEX Quarterly Policy Reviews (QPRs) by **OrderPaper**, Nigeria's renowned and foremost Parliamentary Monitoring Organization (PMO).

This publication unarguably, given its unique analytical focus, represents a unique perspective into studying and evaluating the implications of some developments in the polity that have hitherto escaped the attention of public affairs analysts and even academics - that is, the transitioning of elected public officials from the Legislature to the Executive branch of government. This is undoubtedly a commendable contribution not only to the advancement of knowledge but to the deepening of the understanding of the dynamics that characterise the growth of democratic governance in Nigeria.

In their article "Government Overview, Functions & Types," published on Study.com and updated on 21 November 2023, Kelly Anders, Amy Troolin, and Amanda Robb described the Government as "a group of people who make decisions for a country, nation, or state; this can include a single authority or a group of people who primarily make laws. A group responsible for making policy at all levels of society; this can include different divisions of government (federal, state, local)."

This definition encompasses the executive and legislative branches of government but excludes the judiciary. However, it is generally understood that in modern society, where democracy is practised, the three branches of government identified above exist to form any government.

Baron De Montesquieu, in his treatise "The Spirit of the Law" (1748), proposed a separation of powers and functions of the various branches of government. He says, "There can be no liberty where the legislative and executive powers are united in the same person, or body of magistrates ... [or] if the power of judging be not separated from the legislative and executive powers."

James Madison (1778), in one of his Federalist papers, commenting on Montesquieu's views and seeking to reconcile them with the Constitutional provisions, states that "The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed or elective, may justly be pronounced the very definition of tyranny."

It is against the background of the foregoing that the Quarterly Policy Reviews of the OrderPaper on Former Legislators in the Executive (FLEX) - the transition of Legislators to the executive branch, whether as Governors, Ministers, Senior Presidential Appointees like Chief of Staff, Special Advisers, Ambassadors, Chief Executive Officers of government parastatals and agencies- comes into stark focus. It becomes imperative to appreciate the effect of such transitions on the integrity and independence of the legislature itself and the entire governance

architecture of government. This publication has, therefore, done justice in this regard, and it becomes necessary to recommend it for the diverse group of political actors, particularly elected Legislators who eventually found themselves in the Executive branch either by appointment or election.

Suffice it to state, however, that this phenomenon of intergovernmental organ transition by political actors is not peculiar to Nigeria. The largest democracy in the world, the United States of America, has witnessed a tremendous exodus of Lawmakers who eventually became US Presidents, Vice Presidents, Secretaries of State, and so on.

However, the unique feature of this burgeoning phenomenon in Nigeria is that its impact on governance does not appear to show any remarkable difference. Although, the other side of the coin, which the Quarterly Policy Reviews has not touched, is the phenomenon of ex-governors, ex-ministers, ex-top civil servants, retired military and police officers and many others running elections to the Senate. The impact of this influx is deserving of another edition and it will be a delight to see what the perspective of the OrderPaper crew will be. That must be the subject of discourse in the future.

However, with President Bola Ahmed Tinubu's administration harvesting a preponderant number of Legislators into its government, OrderPaper's submission on the populace's huge expectations for a positive impact on governance is well placed.

It is to be further noted that much as separation of powers is necessary to prevent abuse of power by over-concentration of powers in one authority, it is inconceivable that the Legislature should become a lackey of the executive simply because the executive branch has become populated by erstwhile Legislators. The Tinubu administration, therefore, has an abiding responsibility to leverage the abundance of legislative experiences in the executive branch of this government to advance good governance and strengthen the fabric of democratic institutions in the country's interest.

This is the focus of the excellent job done in this OrderPaper Quarterly Policy Review. It is a must-read for Legislators, Members of the Executive Branch, scholars, policymakers, and advisors.

Once again, let me express my profound gratitude to the Executive Director of OrderPaper for this extraordinary privilege of being part of this epoch-making endeavour, which is a quest to continue advocating for good governance in our country.

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## vi. Executive Summary

Former Legislators in the Executive (FLEX) are a set of political actors that have significantly impacted the polity, especially regarding leadership recruitment, democratic development and delivery of governance objectives. For some reasons, this class of public office holders have escaped public scrutiny as a bloc. This Quarterly Policy Review (QPR) by OrderPaper is a bold attempt to change that. We hold the view that the contributions of FLEXes in the public governance matrix portend significant knock-on effects on the political dynamics, institutional strengths and integrity, as well as the deepening of democracy in Nigeria.

This work spotlights the movement of politicians from the legislature to the executive branch of government, and explores the motivations, justifications, and challenges driving the transition. Notably, it projects the impact of the practice on governance systems while providing a basis to interrogate the cogency of self-perpetuation or recycling of political actors in government.

Examining the legal and political frameworks which govern this leadership transition sheds light on the boundaries and limitations of the FLEX transition. While proponents argue that leveraging the expertise and experience of legislators elected or appointed into executive roles tend to enhance policy formulation, implementation, and monitoring and evaluation, it is imperative to critically interrogate whether they significantly contribute to improved governance outcomes or contribute to compromising legislative independence and parliamentary oversight.

This work posits that by applying best practices and implementing appropriate safeguards, the transition of legislators into the executive arm could lead to greater collaboration between both branches of government without necessarily compromising institutional independence and integrity. It provides a basis for comprehensively examining the Strengths, Weaknesses, Opportunities, and Threats (SWOT) associated with the FLEX phenomenon. By critically analysing this practice, stakeholders can work towards fostering accountable, transparent, and inclusive governance systems that uphold the principles of democracy and serve the best interests of the Nigerian people.

To drive the point home, this QPR establishes that President Bola Tinubu has engaged the FLEX phenomenon in an unprecedented fashion by appointing the largest number of ex-legislators into his government in the history of civilian rule in Nigeria. This is besides the fact that the President and Vice President are both FLEXes themselves. This means the Tinubu administration has held itself up for thorough study and scrutiny of the practice in ways that can offer evidence-based recommendations and advocacies in the future. **OrderPaper** submits that the legacy of the President and his administration will be defined significantly by the contributions of these political actors with cross-cutting exposure, experiences, and temperaments. What will the verdict be?

**Oke Epia**

*Founder/Executive Director*

*OrderPaper Nigeria*

*March 2024*

# 1. Politics, Leadership Recruitment and Executive-Legislative Relationship in Nigeria

**T**he nature of politics, perception of political leadership, and the system of government in Nigeria are critical elements that form the backdrop of the transition of politicians from the legislature to the executive branch.

Nigeria operates a presidential democracy comprising three separate and distinct arms of government - the Legislature, Executive, and Judiciary. Sections 4, 5 and 6 of the 1999 Constitution (as amended) provide the legal basis for this system of government. Section 3 provides that the country is subdivided into 36 states and the Federal Capital Territory (FCT) in Abuja. This introduces the critical aspect of inter-governmental relations in Nigeria, a federal government system, with powers and duties shared between the federal government and the 36 states. Each tier of government has its sphere of authority, outlined in the Constitution, with some concurrent powers shared between the federal and state governments. Inter-governmental relations involve cooperation, coordination, and sometimes inevitable conflicts between the federal and state governments over matters such as resource allocation, revenue sharing, and certain policy implementation. The governance structure at the states mirrors the federal level, where the legislature and judiciary stand as separate arms from the executive.

Whether at the federal or state level, the theoretical foundation of Nigeria's system of government is anchored on the twin principles of separation of powers and checks and balances. Both reinforce each other in a bid to disallow the concentration of powers in one arm of government at any given time. A fundamental objective is to prevent the abuse of power by any arm as others are constitutionally empowered to call the defaulting branch to order.

This is why the Constitution clearly outlines the powers, functions and limitations of the three branches of government, thrusting a system of separation of powers among the Executive, Legislature, and Judiciary, as defined by sections 4, 5 and 6 of the 1999 Constitution (as amended).

**The Legislature (Section 4):** This section of the Constitution confers legislative powers on the National Assembly, which consists of the Senate and the House of Representatives. It empowers the National Assembly to enact laws, among other legislative duties. Sections 54 and 62 further delineate the composition and powers of the Senate and the House of Representatives, respectively.

**The Executive (Section 5):** This section of the Constitution delineates the executive powers vested in the President, who serves as both the Head of State and Commander-in-Chief of the Armed Forces. It enumerates the duties and responsibilities of the President, including the execution and preservation of the constitution, enforcement of laws, and formulation of policies to promote the welfare of the citizenry.

**The Judiciary (Section 6):** Section 6 of the Constitution addresses the judiciary's powers, underscoring its independence as a cornerstone of Nigeria's legal system. It outlines the jurisdiction of the courts, such as the Supreme Court, the Court of Appeal, and the Federal High Court, emphasising the principles of impartiality and adherence to the rule of law in the administration of justice.

These constitutional provisions establish a framework for the functioning of Nigeria's democratic system, ensuring the separation of powers, checks and balances, and the protection of citizens' rights and liberties. By delineating the powers and responsibilities of each arm of government, the Constitution aims to uphold the rule of law, promote accountability, and foster democratic governance in Nigeria. It is trite to state that the above provisions apply to the sub-nationals where the 36 states are framed along the same lines of power separation.

From the provisions cited above, it is clear that the executive branch implements laws and policies, the legislative branch enacts laws, and the judiciary branch interprets laws and adjudicates disputes. The delineation of powers among the three branches of government ensures that each is constitutionally independent of the other and vested with specific functions to prevent the concentration of power in any single branch. To further strengthen the democratic system, the checks and balances principle ensures that no branch becomes dominant or abuses its authority. In Nigeria, checks and balances are achieved through mechanisms such as legislative oversight of the executive, judicial review of legislative and executive actions, and executive veto over legislation. Additionally, the National Assembly has the authority to impeach the President for gross misconduct or abuse of power, subject to judicial review.

Despite these legal safeguards, Nigeria's presidential democracy faces various challenges, including weak institutions and fledgling structures at both governance and political dimensions. Since 1999, however, Nigeria has operated an uninterrupted democratic system characterised by a strong executive branch headed by the President, who serves as both the ceremonial Head of State and Head of the Government. The President is elected by popular vote to a maximum of two four-year terms and wields significant powers as provided by law, including the authority to appoint ministers and other heads of government agencies, propose and veto legislation, and serve as the Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria. In practice, however, the President commands enormous powers that tend to overwhelm the other branches of government to the point of submission in some cases.

Therefore, the office of President of the Federal Republic of Nigeria is very powerful. As the apex of political leadership in the country, the office and its occupier command significant influence in leadership recruitment across almost all rungs of the political ladder. Besides the statutory powers of appointment into cabinet and other executive-level positions, the influence and powers of the presidency also shape inter-governmental relations and the dynamics of political party operations, especially concerning the party in power.

The crucial role of political parties in Nigeria's democratic practice as vehicles for political mobilisation and participation, representation, and contest for power naturally makes them of high interest to the presidency. Since elections, held periodically at the federal, state, and local levels, are the primary means by which political parties compete for power and political office, it is hard for them to be insulated from the overwhelming influence of the presidency. For certain pivotal offices, this influence extends to determining who emerges as party flag bearers for certain elective positions (for example, intra-party offices, general elections, and the contest for presiding officers of the National Assembly).

Thus, with the influence to determine the emergence of winners from political contests and uncontested constitutional powers to appoint anyone (subject to stipulated qualifications and legislative confirmations) into public office, the role of the President and the presidency in political leadership recruitment is a settled matter. It is also a settled matter that the performance of the President in office and the ultimate success of a government is a function of those elected as vice president, state governors, legislators, and those appointed to serve as ministers and heads of agencies. So when a president makes appointments from the ranks of serving and former legislators, what are the considerations and expectations behind the choices? On another level, when citizens elect politicians with legislative backgrounds and experience into office as state governors or president, are they motivated by certain considerations and hold specific expectations of them? On a broader scale, how does recruiting political leaders from the legislature to the executive impact the functioning and deliverables of government?

Theoretically, when public officials transition from the legislative to the executive branch, they bring a level of experience in lawmaking, oversight, and democratic representation that should potentially enrich the decision-making process and delivery of democratic benefits. But is this the case in reality? In terms of democratic growth and consolidation, how does this transition from the legislature to the executive branch impact the operation of separation of powers? These are some of the questions that need to be addressed in deeper dimensions than the scope of this work offers.

This QPR has aimed to foster an understanding of Nigeria's governance system, structure, and framework within the context of the transition of political actors from the legislature to the executive branch of government and its implications for policy and democratic consolidation.

# Challenges in Executive-Legislative Relationships

The relationship between Nigeria's executive and legislative branches of government is characterised by a complex interplay of factors, often marked by centripetal and centrifugal forces. These dynamics significantly impact governance outcomes and the overall stability of the country. Understanding the intricacies and challenges of this relationship requires a nuanced examination of various socio-political factors and institutional dynamics, some of which are presented below:

**Power Struggles:** Power struggles between the executive and legislative branches are pervasive in Nigeria's political landscape. This often manifests in conflicts over boundaries of policy-making, resource allocation, and the overall balance of power. For instance, during the administrations preceding President Tinubu, there were tensions between the executive and legislative branches over budgetary allocations, especially relating to Zonal Intervention Projects (ZIPs) and the control of crucial governance sectors like Petroleum, where the President has held on to the portfolio of Minister.

**Party Politics:** Nigeria's political culture is deeply entrenched in party politics, where loyalty to political parties sometimes supersedes national interest. This allegiance can lead to conflict and a lack of cooperation between the executive and legislative branches. For example, during President Muhammadu Buhari's tenure, disagreements between his All Progressives Congress (APC) party and the opposition parties in the National Assembly often stalled legislative processes and hindered policy implementation.

**Ethnic and Sectional Dynamics:** Nigeria's diverse ethnic and regional makeup significantly shapes political allegiances and interests. This can lead to tensions between the executive and legislative branches as politicians tend to prioritise the interests of their respective ethnic or regional constituencies. For instance, debates over resource allocation, particularly regarding oil revenue, have often sparked ethnic and regional tensions, impacting the relationship between both branches.

**Corruption:** Corruption within the government undermines trust and cooperation between the executive and legislative branches. Instances of

graft and embezzlement erode public confidence in the effectiveness and integrity of both branches, exacerbating existing challenges in their relationship. The scandal involving the alleged padding of the national budget by members of the National Assembly is a notable example of how corruption can strain executive-legislative relations.

**Weak Institutional Capacity:** Limited institutional capacity and resources hinder effective communication and collaboration between the executive and legislative branches. Weak administrative structures and bureaucratic inefficiencies can impede the smooth functioning of government processes, leading to misunderstandings and conflicts between the branches.

**Policy Implementation Snags:** Effective implementation of legislation passed by the legislature is essential for governance outcomes. However, challenges arise when there is executive overreach or resistance to implementing laws passed by the legislative branch. For example, delays or refusal of specific legislative reforms couched in parliament resolutions have been attributed to executive reluctance or lack of political will, especially when the relationship between both arms is less than cordial. There have also been instances where the President applies the instrumentality of Executive Orders to enact policies at the expense of an uncooperative or unyielding legislature.

Addressing the causes and challenges facing executive-legislative relationships in Nigeria requires comprehensive reforms to promote transparency, accountability, and institutional strengthening. By addressing issues such as power struggles, party politics, ethnic divisions, corruption, and weak institutions, Nigeria can foster a more collaborative and effective governance framework that serves the interests of all citizens and residents alike. Furthermore, nurturing a culture of dialogue, compromise, and respect for the rule of law is essential for building trust and achieving sustainable political stability in the country.

## 2. Overview of the Transition from the Legislature to the Executive

Since Nigeria's return to democratic rule in 1999, several instances of the transition of political actors from the legislature to the executive branch of government have been documented. From those elected into office like state governors to those appointed as ministers, commissioners and heads of agencies and aides to governors and the president, the lineup has grown over the years. These elections and appointments have often sparked debates regarding their reasonability, suitability and impact on governance dynamics.

However, understanding the rationale behind these appointments is paramount. Proponents argue that leveraging the expertise and experience of legislators in executive roles can enhance policy formulation, implementation, and executive oversight in terms of monitoring and evaluation. This perspective emphasises the potential synergies between the legislative and executive branches in advancing the nation's development agenda.

The rationale behind appointing ex-legislators to the executive varies, ranging from political expediency to leveraging legislative expertise in the executive branch. For instance, during the administrations of Presidents Olusegun Obasanjo, Goodluck Jonathan, Muhammadu Buhari, and currently, Bola Ahmed Tinubu, former legislators were appointed to key ministerial positions, ostensibly to harness their legislative experience and networks for effective policy implementation. A more interesting fact about the current administration is that the President and his Vice have been legislators at the National Assembly. However, sceptics raise concerns about the concentration of power, potential conflicts of interest, and the erosion of legislative independence and oversight functions that such appointments connote.

### 2.1 FLEXes Who Became Governors

Within the scope of the 4th Republic, not many politicians have transited from the legislature to become state governors. The count can reasonably begin in 2003 after the first circle of the general elections, which were held in 1999. However, it must also be noted that pre-1999, some former legislators had also transitioned into executive roles as state governors, ministers, etc.

Below are examples of former state governors who were in the legislature (National and State Assemblies):

**Rabiu Kwankwaso:** Rabiu Musa Kwankwaso garnered legislative experience before attaining the governorship of Kano State between 1999 to 2003 and 2007 to 2011. He served as Deputy Speaker of the House of Representatives in the defunct 3rd Republic.

**Aminu Tambuwal:** Aminu Tambuwal moved from the position of Speaker of the House of Representatives (between 2011 and 2015) to become Governor of Sokoto State. He got to the apex of legislative stewardship by rising through the rungs as legislative aide, elected member, principal and presiding officer of the House. Therefore, he presents a robust case for interrogating the performances of former legislators in the executive. Tambuwal finished his term as governor and moved back to the National Assembly as an incumbent senator.

**Bello Masari:** Masari is another Speaker of the House of Representatives who emerged as Governor of Katsina State in 2015. Masari's tenure as speaker under the testy days of ex-president Olusegun Obasanjo (2003 - 2007) prepared him for the tough job of governorship, but whether he delivered satisfactory remains a matter of contention.

**Rotimi Amaechi:** Amaechi was a member of the Rivers State House of Assembly between 1999-2007 and was elected as Speaker in both tenures. In 2007, he became the first politician to benefit from the electoral victory of another when the Supreme Court declared that he was the rightful candidate of the Peoples Democratic Party (PDP) instead of Celestine Omehia, who campaigned for and won the governorship. Amaechi was, however, elected Governor of Rivers on his terms in 2011. He remained in executive roles for eight years in the Muhammadu Buhari administration, where he served as the Minister of Transportation for two terms from 2015 to 2022.

**Ifeanyi Okowa:** Okowa was elected Senator to represent Delta North senatorial district from 2011 to 2015. After a term in the Senate, he transitioned to the executive at the state level, where he was elected for two terms as governor of Delta State from 2015 to 2023. During the 2023 general elections, he was picked as Atiku Abubakar's running mate for the PDP. Following the loss of elections, not much has been heard from the former governor.

**Seriake Dickson:** Dickson was a member of the 6th House of Representatives from 2007 to 2011, representing the Sagbama-Ekeremor federal constituency. He then moved to the Bayelsa state government house as governor from 2012 to 2020. He returned to the National Assembly as a senator (Bayelsa West) in an exchange of positions, replacing Senator Lawrence Ewhrudjakpo, who went on to become Deputy Governor in 2020. Dickson was re-elected into the Senate in 2023 and serves as chairman of the Senate Committee on Ecology/Climate Change.

**Ben Ayade:** Ayade began his legislative career in the Senate from 2011 to 2015, representing the Cross River North senatorial district. In 2015, he was elected governor of Cross River and re-elected in 2019-2023. His run as governor was largely overshadowed by an array of uniquely titled budgets with contrastingly questionable implementation.

## **FLEXes Who Became Ministers and Heads of Agencies**

Since Nigeria's 5th Assembly, a mix of ex-legislators has been appointed to the federal cabinet and as heads of agencies.

Under former President Olusegun Obasanjo, the likes of Iyorchia Ayu were the FLEXes in his cabinet. Ayu, a former senator representing Benue North-West and President of the Senate during the short-lived Third Republic (1992–1993), was appointed Minister of Internal Affairs in 2003 and Minister of Environment in 2005 after a cabinet reshuffle. Another third-republic senator representing Ogun East, Jubril Martins-Kuye, was appointed Minister of State for Finance from June 1999 until June 2003.

Late President Umaru Musa Yar'Adua appointed Sen. Mohammed Sanusi Daggash Minister for National Planning. He served as a House of Representatives member (1999 - 2003) and a Senator (2003-2007). Senator Akinlabi Olasunkanmi is another ex-legislator appointed as a cabinet member. He had served in the senate representing Osun West senatorial district from 2003 to 2007 before emerging as Minister for Youth Development (2007 -2011) under Yar'Adua. Also, John James Akpan Udo-Edehe, a senator representing Akwa Ibom North East senatorial district (1999-2003), was appointed Minister of State for the Federal Capital Territory (FCT) from 2007 to 2008.

Ex-President Goodluck Johnathan also appointed members from the legislative realm to his cabinet. Those he appointed included Bala Mohammed, a senator representing Bauchi South senatorial district between 2010 and 2015. He was made FCT Minister. Others were Joel Danlami Ikenya, Senator for Taraba South 2007-2011, who was later appointed Minister of Labour and Productivity until May 2015. Hon. Ibrahim Bio, who was first elected into the Kwara state Assembly in 1999 and in 2003, where he emerged as Speaker, was later appointed Minister of Transportation.

Ex-President Muhammadu Buhari also made a fair share of appointments from the legislature. In his cabinet were Adebayo Shittu, a one-time member of the Oyo State House of Assembly (1979-1983), who was appointed as the Minister for Communication; Godswill Akpabio, who moved from being Governor of Akwa Ibom State to the Senate, and then Minister of Niger Delta Affairs. Also, Gbemisola Saraki, representing Kwara Central Senatorial District from 2003 to 2011, became the Minister of State for Transportation. Olorunnibe Mamora, Lagos East Senatorial District senator from 2003 to 2011, was appointed the State Minister of State for Health. Chris Ngige, Anambra Central Senatorial District from 2011 to 2015, was the Minister of Labour and Employment, among other former legislators.

### 3. Appointment of Legislators to the Executive: Motivations and Implications

The appointment of serving or former legislators into critical positions within the executive arm of government has become a growing trend. This emergent phenomenon raises questions about the motivations behind such appointments, the potential implications for governance, and its impact on the dynamics of representation and inclusion, particularly for minority groups. Understanding the intricacies involved requires a deep dive into Nigeria's political landscape, examining the underlying motivations, and evaluating the broader consequences for democratic governance.

#### **Political and Governance Motivations**

A complex interplay of political and governance motivations often drives the appointment of legislators to executive positions in Nigeria. A few of these are highlighted below:

**Patronage Mechanism:** One of the primary motivations behind appointing legislators to executive roles is the political strategy of rewarding party loyalists and allies. By offering critical positions in the executive to serving or former legislators, political leaders can consolidate their support base and incentivise continued loyalty within their party ranks.

**Expertise and Experience:** Serving or former legislators are assumed to bring a level of experience and expertise in navigating the complexities of governance and policy-making. Their understanding of legislative processes, coupled with their grassroots connections, can be leveraged to enhance the effectiveness of the executive arm of government.

**Political Stability and Unity:** In a diverse and ethnically fragmented country like Nigeria, appointing legislators to executive positions can foster political stability and unity. By integrating representatives from different regions and ethnic groups into the executive council, governments can promote inclusivity and mitigate regional tensions.

## Implications and Impact

The appointment of legislators into the executive branch of government portends some implications for the polity and governance process. Some of these are identified below:

**Centripetal Pull of Power:** The appointment of legislators to executive roles tends to centralise power within the executive branch. This tendency can undermine the principles of checks and balances, leading to potential abuses of authority and diminished accountability.

**Diminished Legislative Oversight:** When legislators transition to executive roles, there is a concern that their new role may compromise or influence legislative oversight functions and weaken the legislature's capacity to hold the executive branch accountable, thus undermining the principles of separation of powers. Experience has shown that rather than serve as true ambassadors of the legislature and promote compliance with legislative resolutions, former legislators tend to advance the interest of the executive even when such diminishes the branch they once represented. Policymakers must strike a balance between political expediency and democratic governance principles, ensuring that executive appointments contribute to inclusive and representative decision-making processes that advance the collective welfare of all Nigerians.

**Recycling of Politicians:** When the president looks to the legislature to make appointments, it limits the space for new entrants into the political space. It tends to lead to the recycling of the same actors across leadership positions, inadvertently shutting out opportunities for those who could benefit from executive appointments.

**Loss of Institutional Memory:** The appointment of legislators, especially incumbents, reduces the full complement of institutional memory that the branch of government has. This is often the case for ranking members of parliament, whose experience and exposure are usually critical in stabilising the institution at the incipient stages of the assembly.

# 4. The 10th National Assembly FLEXes

The build-up to the 2023 general elections threw up certain dynamics that influenced the shaping of the political structures post-polls. These inevitably impacted the current composition of the leadership and membership of the 10th National Assembly. Part of that impact includes appointments made into cabinet and other executive positions by the President of the Federal Republic from the legislature. Without delving into those background details, this work presents Senators and House of Representatives Members who have transited into the executive between the inauguration of the 10th National Assembly on June 13th 2023 and March 2024, when this QPR was produced.

## Ambassadors from the Senate

Below is a brief consideration of the legislative background and expectations of serving senators poached into the executive branch:

### From the Legislature to the Executive (FLEX) (From the 10th Senate to the Executive)

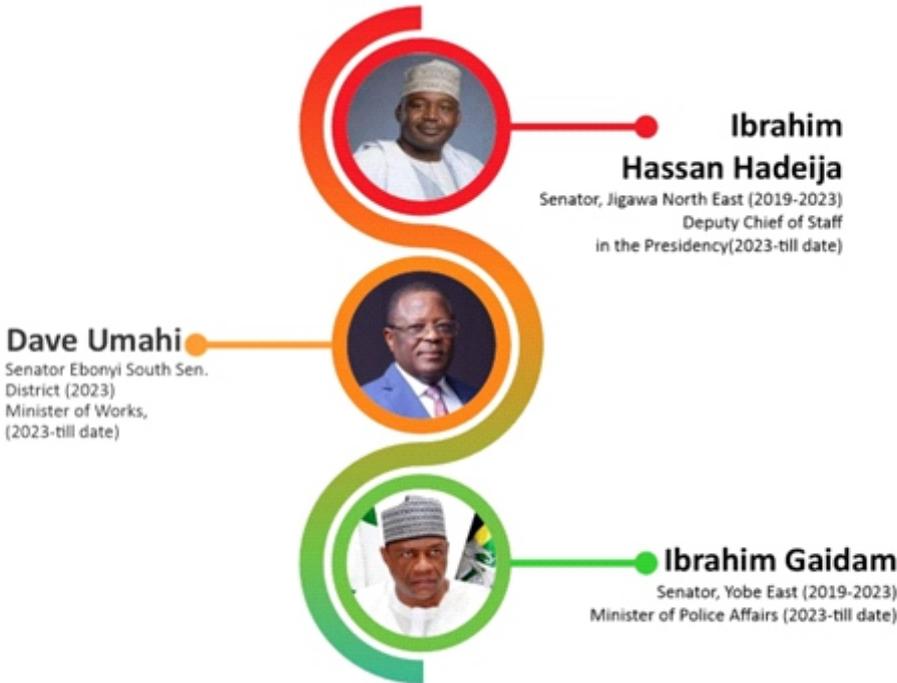


Figure 1

**Ibrahim Hassan Hadejia:** Lawyer and politician, Hadejia has had a political career that straddles both the executive (at the state level) and the legislature at the federal level. He serves as the Deputy Chief of Staff to the President of Nigeria in the Office of the Vice President, an appointment he took up on June 2, 2023. Before this role, he served as the senator representing Jigawa North-East from 2019 to 2023 under the APC and was re-elected in 2023 into the 10th Assembly. As a serving lawmaker, he was swiftly asked to “take a bow” during the ministerial screening exercise conducted by the Senate. The current role of Hadejia is both political and bureaucratic in nature. Projecting his performance for the next three years in line with his level of experience in public office, he would be expected to use his office as the Deputy Chief of Staff to responsibly direct, manage and oversee the daily operations and staff of the Vice President. How well he discharges this role would impact the effectiveness of the Vice President and, by extension, the service delivery rating of the Bola Tinubu presidency.

**David Nweze Umahi:** Currently serving as Nigeria's Minister of Works, Umahi has emerged as a central figure of the Tinubu administration. Before this appointment, he represented Ebonyi south senatorial district in the Senate from June to August 2023. Before that, he held the position of Governor of Ebonyi State from 2015 to 2023 and served as Deputy Governor from 2011 to 2015. Umahi got started in the political circle in 2007 when he was appointed acting chairman of the Peoples Democratic Party (PDP) in Ebonyi state from 2009 to 2011. He held all these positions under the PDP until 2020, when he officially joined the ruling APC, stating that the PDP had failed to deliver on its promises as a party and had been hijacked by some unnamed persons. Upon completing his tenure as governor, he was elected into the Senate and was appointed Deputy Leader before he was appointed minister. While his time in the legislature was short-lived, expectations are high of him given the cabinet portfolio he occupies. This is considering Nigeria's poor state of roads, which need urgent intervention and the need to build new ones.

**Ibrahim Gaidam:** Gaidam currently holds the portfolio of Minister of Police Affairs. He was appointed from his second term in the Senate. Before then, he had served in Yobe state as Deputy Governor and was subsequently sworn into office as Governor in January 2009 following the death of Governor Mamman Bello Ali. After completing his predecessor's tenure, Gaidam was elected governor in 2011 and 2015, thereby serving a cumulative ten years (2009-2019) as chief executive of Yobe. After his time as governor, he was elected as senator representing the Yobe East senatorial district from 2019 to 2023 in the 9th assembly, where he sponsored three bills in four years. Most controversial among these was the bill which sought the rehabilitation, de-radicalisation, education and reintegration of repentant Boko Haram members into society. The bill, however, failed to progress past the second reading. He was re-elected into the 10th assembly in 2023, from where President Tinubu appointed him into his cabinet. In his executive portfolio,

Nigerians will be keen to see how the minister can improve the face and fortunes of the Nigeria Police Force, given the controversial image the outfit has among a large cross-section of Nigerians.

### Ambassadors from the House of Representatives

Just as with the Senate, President Bola Tinubu also appointed members of the 10th House of Representatives to his government. The new call of service truncated the trajectory of constituency representation early in the day. As Nigerians persistently yearn for better living conditions by implementing transformational policies that resonate with the hopes and plight of the masses, these appointments come with great expectations.

## From the Legislature to the Executive (FLEX) (From the 10th House of Representatives to the Executive)

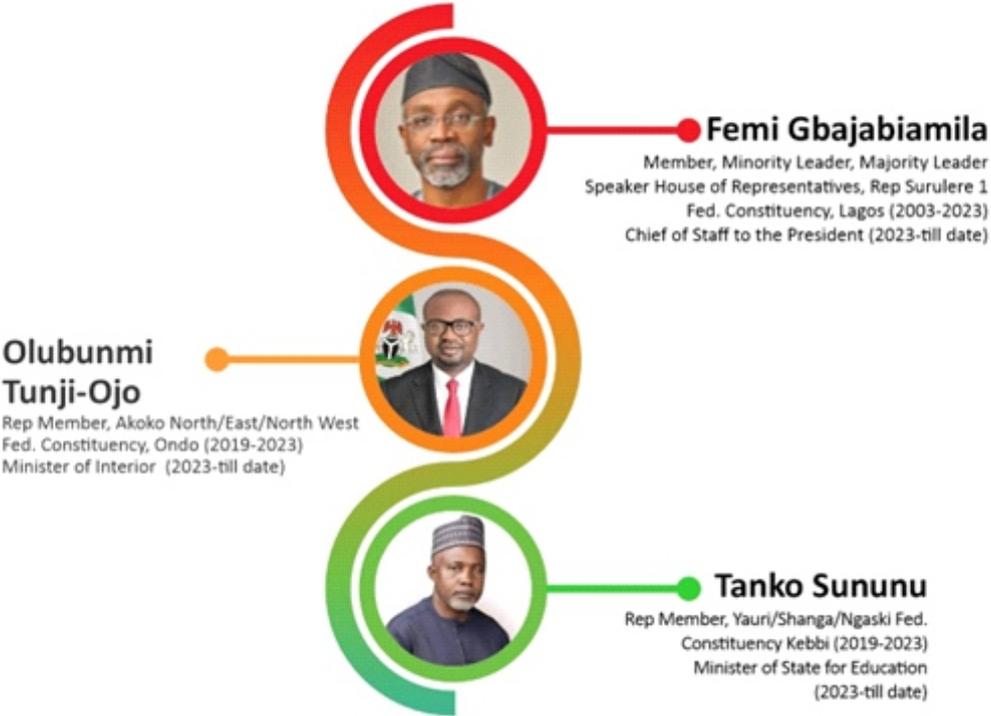


Figure 2

**Femi Gbajabamila:** He is the Chief of Staff to President Bola Tinubu. Gbajabamila was appointed in June 2023, just before the flight of his sixth term (2003-2023), as a member of the House of Representatives got off the ground. He served as the Speaker of the House between 2019 and 2023 and represented the Surulere 1 federal constituency of Lagos State. He held pivotal positions, such as the

majority and minority leadership positions in the House, at different times. Femi was first elected on the Action Congress (AC) platform in 2003. By 2011, he was elected on the Action Congress of Nigeria (ACN) platform, eventually transitioning to the APC in 2014. In the 9th House, he sponsored 23 bills in three years. These bills covered the areas of education, power, economic stimulus, disabilities, constitution alteration, etc., and many of them progressed to various stages. Prominent among these is the Students Loan Bill, now an Act signed by President Tinubu after its repeal and re-enactment in April 2024. The appointment of Gbajabiamila was not a surprise to many, as he has been one of the loyal allies of President Tinubu over the years. With his deep legislative background, he is expected to help the administration create synergy with the National Assembly towards advancing the programmes of the government. However, some argue that his looming shadow over the House could make it docile in effectively checking the executive branch.

**Tanko Sununu:** He was appointed as Minister of State for Education by President Tinubu from his post as representative of the Yauri/Shanga/Ngaski Federal Constituency of Kebbi State in the 10th Assembly. Tanko was also a member of the 9th Assembly and served as the Chairman of the House Committee on Healthcare. He was reappointed to chair the same committee in the 10th House before he was nominated minister. This was because of his background as an obstetrician and gynaecologist (minimal access surgeon). On both occasions, he was elected on the APC platform. While it would have been expected that he be given a portfolio on health, Sununu was assigned to the education portfolio. Given the dire need for improvement in the country's education sector, especially in the area of out-of-school children, Sununu, as the minister of state for education, will be expected to significantly aid the revamp of the education sector by creating and executing policies that will improve it. Additionally, the paltry amount often assigned to the education sector in the annual budget is an area the minister, with his legislative experience, will be expected to make some improvement. Another fundamental expectation will be ensuring that privileged and disadvantaged Nigerians have access to education to transform the nation, as education is a critical aspect of national development. Will he deliver?

**Olubumi Tunji-Ojo:** The current Minister of Interior was elected a member of the House of Representatives from 2019 to 2023 and re-elected in 2023 to represent Akoko North East/Akoko North-West Federal Constituency of Ondo State. He won both elections on the APC platform but was appointed as minister on 16th August 2023. As a 9th Assembly member, he sponsored five bills in three years. These bills covered the Niger Delta Development Commission (NDDC) repeal and re-enactment, mining, education and employment, with none progressing beyond the committee stage. Also, in the 9th House, he served as committee chairman probing the Niger Delta Development Commission (NDDC) over alleged corruption in 2020. However, he stepped aside following corruption allegations levelled against him. The entrepreneur-cum-politician has since embarked on some notable reforms in the ministry, including clearing over 200,000 passport backlogs within two weeks at no extra cost to the federal government. He has also achieved the automation of the passport application process, which has gained commendations from Nigerians globally. Under him, the interior ministry is also set to launch the installation of E-Gates across international airports in Nigeria. Will he sustain the tempo?

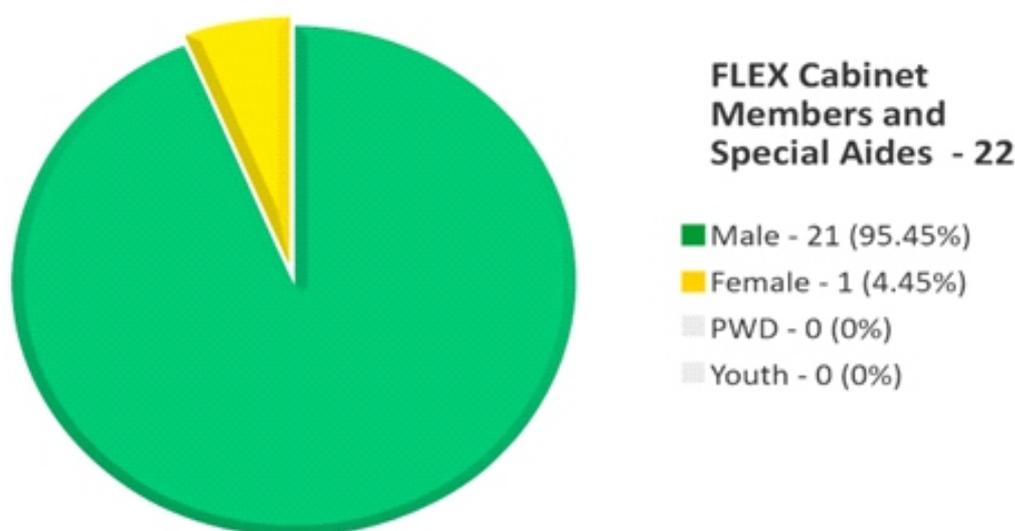
# 5. The Unprecedented FLEX Administration

## 5i. The Presidency and Federal Cabinet

President Bola Tinubu's Federal Executive Council (FEC) was constituted three months after his inauguration as Head of State and Commander-in-Chief. Notably, the significant number of appointees with legislative backgrounds sets this cabinet apart since the 4th Republic commenced in 1999. Here are the Former Legislators in the Executive (FLEXes) in Tinubu's government (this is besides those poached from the extant 10th assembly addressed in the previous chapter)

### From the Legislature to the Executive (FLEX)

(GESI Distribution of Tinubu's FLEX Cabinet Members and Special Aides)



**Fact File:**

Youth population per provisions of the Not-Too-Young-To-Run Act, 2018  
GESI- Gender Equality and Social Inclusion

Figure 3

**Bola Ahmed Tinubu:** The President often has the prefix ‘Senator’ in his name. That is because he represented Lagos West senatorial district in the Senate from 1992 to 1993 in the aborted third republic under the platform of the Social Democratic Party (SDP). Tinubu is renowned for his role in tackling the military, which seized power and returned the country to civilian rule. Upon the exit of the military from politics, he ran for office and became Lagos State Governor for two terms from 1999 to 2007 under the Action for Democracy (AD) platform. He held on tightly to the political levers at the state and federal levels, a persistent effort that paid off when he became Nigeria’s seventeenth president in 2023 under the APC platform.

Although his time in the Senate was short-lived, his legislative ties appear to run deep. They can be seen in his appointments of former legislators as key figures in his government. Also, interestingly, Oluremi Tinubu, his wife and the First Lady of Nigeria (though not a constitutionally recognised office) served three terms as senator representing Lagos Central from 2011 to 2023.

Generally, the expectations of how his cabinet synergises with the legislature will be tested by the compliance of his government to the principles of separation of powers and checks and balances. Areas like budgeting and public expenditure, borrowing and debt management, and implementation of resolutions and recommendations from the National Assembly will be key in measuring how the Tinubu administration engages meaningfully with the legislature. Will Tinubu reinforce the “rubber stamp” moniker associated with the legislature in recent times?

## From the Legislature to the Executive (FLEX) (Presidency)



Figure 4

**Kashim Shettima:** Vice President Kashim Shettima is another ex-lawmaker in the Tinubu presidency. He served as a Borno Central senatorial district senator from 2019 to 2023. Although he was renominated for a return to the Senate in the 2023 general elections, he was chosen by Tinubu as his running mate. Before his foray into the senate, Shettima served as Borno State Governor from 2011 to 2019, having won elections under the ANPP and APC, respectively. While in the Senate, he sponsored ten bills in three years. Notable among them were the establishment of six additional law schools in the country's six geopolitical zones and the Nigeria Peace Corps Bill. He moved motions of critical national importance on issues like insecurity, the plight of insurgency victims, and the strengthening of security agencies, among others. His background and experience in the senate should be a plus to the Tinubu administration regarding engagement with the National Assembly.

**George Akume:** Akume is the Secretary to the Government of the Federation (SGF), arguably the most central figure in the political bureaucracy of the Tinubu administration. He also brings a background of legislative experience to his job, having represented Benue North-west senatorial as a senator from 2007 to 2019. This was after he had served as the Governor of Benue from 1999 to 2007 under the PDP platform. Akume was appointed minority leader of the 7th senate, having joined the APC. There is little credit to him in terms of bills and motions sponsorship. In the Buhari administration, he was appointed Minister of Special Duties and Intergovernmental Affairs from 2019 to 2023. As the SGF in the Tinubu-led administration, it is expected that Akume will take up the duty of mobiliser of all ministries, departments, and agencies (MDAs) responsible for delivering service to the nation and its citizens. This responsibility involves fostering a close relationship with the legislature. Will Akume advance a positive relationship with the National Assembly?

## From the Legislature to the Executive (FLEX) (Presidential Aides)

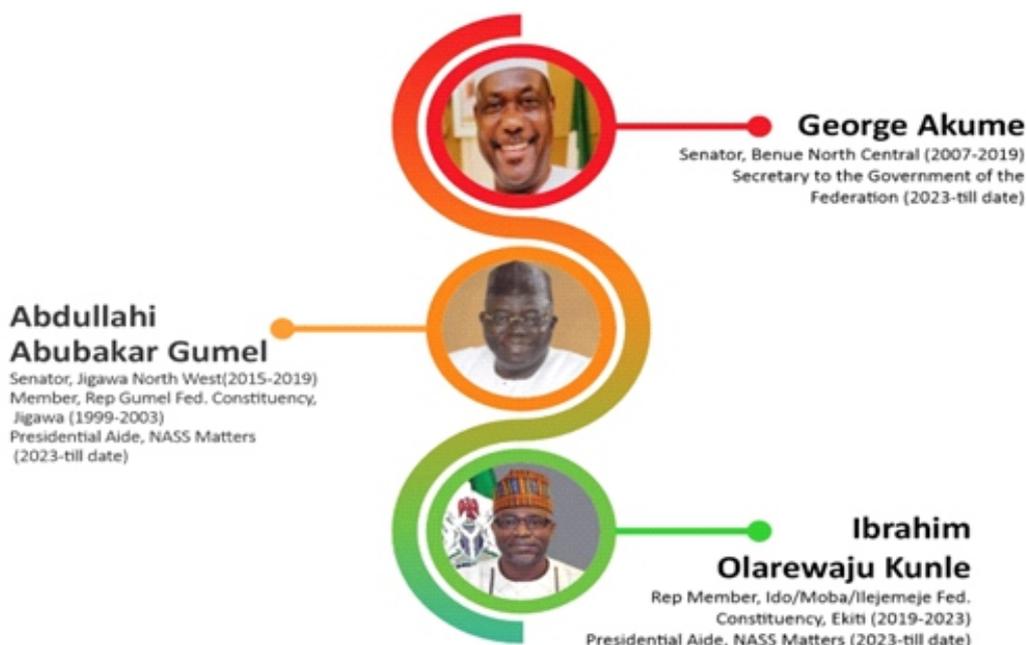


Figure 5

**Abdullahi Abubakar Gumel:** Gumel was appointed Senior Special Assistant, National Assembly Matters (Senate) to the President in June 2023. He first came into the legislature in 1999 as an elected member representing the Gumel federal constituency of Jigawa State. After a stint away from parliament, he won election as senator representing Jigawa North West senatorial district from 2015 to 2019. Gumel's legislative footprint includes serving as the Chairman, House Committee on Special Duties from 1999 to 2000 and chairman of the House Committee on Police Affairs from 2001 to 2003. Given the experience he gained from the 4th and 8th Assemblies, Gumel is expected to advise the President on achieving a constructive legislative-executive alliance that enhances democratic governance, promotes accountability and addresses the country's complex challenges. Will he deliver?

**Ibrahim Olarewaju Kunle:** Ibrahim currently serves as the Senior Special Assistant to the President on National Assembly Matters (House of Representatives). He was a Member of the House of Representatives representing the Ido/Osi/Moba/Ilejemeje Federal Constituency of Ekiti State from 2019 to 2023. As a member of the Ekiti State delegation of federal lawmakers in the 9th National Assembly, he ranked second among the nine members from the state in

terms of bills tally, sponsoring three bills between June 2019 and June 2023. These bills covered education and social inclusion for older people, but none were passed. It is expected that Kunle will work closely with his counterpart in the Senate to provide the President with foresight and hindsight on the executive-legislative relationship that brings about effective policies and proper checks and balances. Time will tell if he will deliver.

**Ekperikpe Ekpo:** Ekperikpe took up the Minister of State for Petroleum Resources (Gas) portfolio in August 2023. He was a member of the House of Representatives from 2007 to 2011, representing Abak/Etim Ekpo/Ika federal constituency, Akwa Ibom. He is expected to use his legislative expertise to harness the benefits of gas investments to boost industrialisation, increase energy supply, and create jobs. This is because of the recent signing of the Electricity Act 2023 and the decision to remove gasoline subsidies, which are anticipated to boost the demand for gas in Nigeria. Hence, decentralised power projects will require fuel, and consumers are likely to shift towards more affordable energy options such as Compressed Natural Gas (CNG), Liquefied Natural Gas (LNG), and Piped Natural Gas (PNG). Will he draw on his background in the legislature to deliver value to the Tinubu administration?

## From the Legislature to the Executive (FLEX) (Ministers)

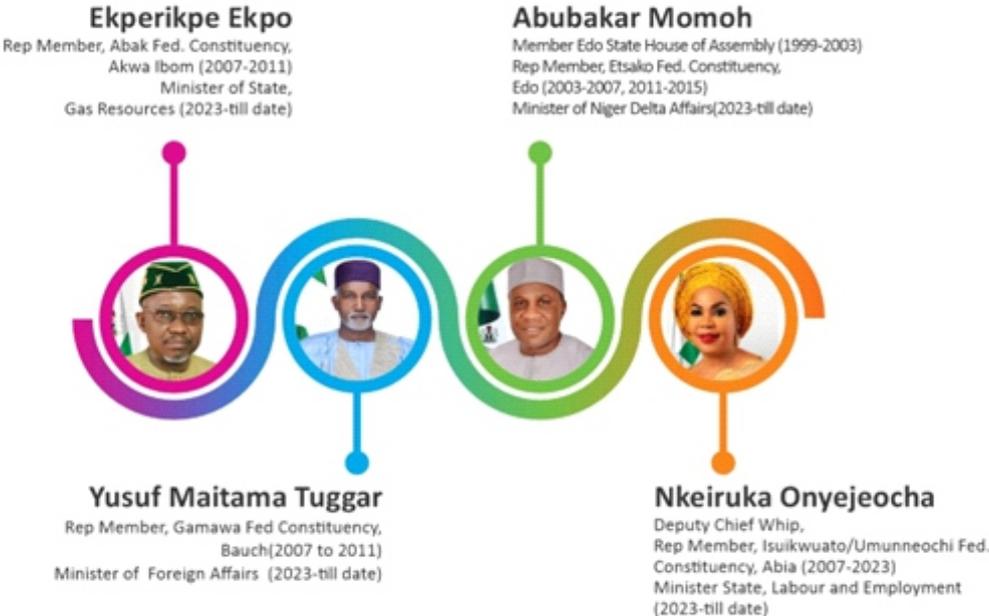


Figure 6

**Yusuf Maitama Tuggar:** Tuggar is the Foreign Affairs Minister in Tinubu's cabinet. He was a House of Representatives member from 2007 to 2011, representing the Gamawa federal constituency in Bauchi state. He joined the House on the ANPP platform and joined the APC in 2013. While serving as a member, his legislative footprint includes being the Chairman of the House Committee on Public Procurement, a member of the Committee on Foreign Affairs, and Deputy Chairman of the Committee on Public Petitions. He sponsored a bill on inhumane transport of livestock on the floor of the House. With the experience gathered in the House, particularly as a member of the Committee on Foreign Affairs, and his immediate past portfolio as Nigeria's Ambassador to Germany from 2017 to 2023, it is expected that Tuggar will deliver value in Nigeria's external relations. Attention will be on how he advances Nigeria's interests, protects Nigeria's citizens abroad, and promotes the country's image and influence in the international arena through diplomacy, cooperation, and strategic engagements.

**Abubakar Momoh:** The current Minister for Niger Delta Affairs brings some legislative experience from the Edo State House of Assembly (1999 to 2003) and the House of Representatives (2003 to 2015) to bear on his job. He represented Etsako Federal Constituency in Edo State for three terms. Momoh has his work cut out as he plays a pivotal role in driving sustainable development, fostering peace and stability, and improving the quality of life for citizens and residents of the Niger Delta region. With the inauguration of a new governing board of the Niger Development Commission (NDDC), it is expected that Momoh should use his experience to clean up the tainted image of the NDDC, given the allegations of corruption in the past. Will he deliver?

**Nkeiruka Onyejeocha:** Nkeiruka stands as the only female who has been a legislator and was appointed to the cabinet of Bola Tinubu. The four-term member of the House of Representatives represented the Isuikwato/Umunneochi Federal Constituency from 2007 to 2023. She was a member of the PDP until 2018, when she defected to the APC and won the 2019 elections on the party's platform. Her legislative footprints include being appointed Chairman of the House Committee on Aviation, Chairman of Women in Parliament and Deputy Chief Whip in the 9th Assembly. In carrying out her duty of lawmaking, she has her name on an essential piece of legislation, the Compulsory Treatment and Care for Victims of Gunshot Bill 2017, which was signed into law by President Buhari. The law was passed to make sure that victims of gunshots can get medical attention immediately without needing a police report first. With her current portfolio as Minister of State, Labour and Employment, she has

reportedly pushed for women's inclusion, policy reviews, negotiation on the recurrent strikes, and revival of the National Directorate of Employment (NDE), among others. While she has come armed with legislative experience, it is crucial to see how she manages the relationship between the executive, where she now serves and the legislature, when the legislature oversees the MDAs under her purview.

**Zephaniah Jisalo:** Jisalo was appointed Minister for Special Duties in August 2023. He became the first native of Abuja, the Federal Capital Territory (FCT), to be appointed minister since 1999. His legislative experience comes from representing the Abuja Municipal/Bwari federal constituency for two terms. He was elected on the PDP platform in 2011 and 2015. He, however, became a part of the Tinubu Support Group (TSG) during the 2023 presidential election. His diverse legislative experience includes serving on various House Committees such as House Committees; Sports, Niger Delta Development Commission (NDDC), Defense, Customs & Excise, Appropriations, and National Security during his tenure in the House of Representatives. As minister, Jisalo plays a versatile role in supporting the government's agenda by handling special assignments, facilitating inter-ministerial coordination, managing crises, overseeing special projects, and providing strategic advice. Hence, he requires a flexible approach to address various issues and priorities effectively. Has his background in the National Assembly prepared him adequately for these tasks? The jury will be out in due course.

**Bello Muhammad Goronyo:** He was appointed Minister for Water Resources and Sanitation in August 2023. His legislative footprints began in the Sokoto State House of Assembly, where he served in various roles, including minority leader, majority leader, and deputy speaker, between 2007 and 2015 as a representative of the Goronyo constituency. He is also a member of the APC, where he served as a Director of National Youth Mobilization for the Asiwaju/Shettima APC presidential Campaign Council (North-west zone). Goronyo, a Senior Advocate of Nigeria (SAN), moved from the state legislature to the executive at the federal level. He is saddled with the crucial role of formulating, implementing, and overseeing policies and programs related to water resources management and sanitation across the country. Given the past controversies on the water resources bill in the 9th Assembly, it is interesting to see how he would address such a policy if it came up in the 10th Assembly. The bill sought to establish a regulatory framework for the management, control, and sustainable development of Nigeria's water resources (including privately owned boreholes to mitigate the lack of

water from the waterboard in most parts of the country). It was thrown out following a huge public outcry.

## From the Legislature to the Executive (FLEX) (Ministers)

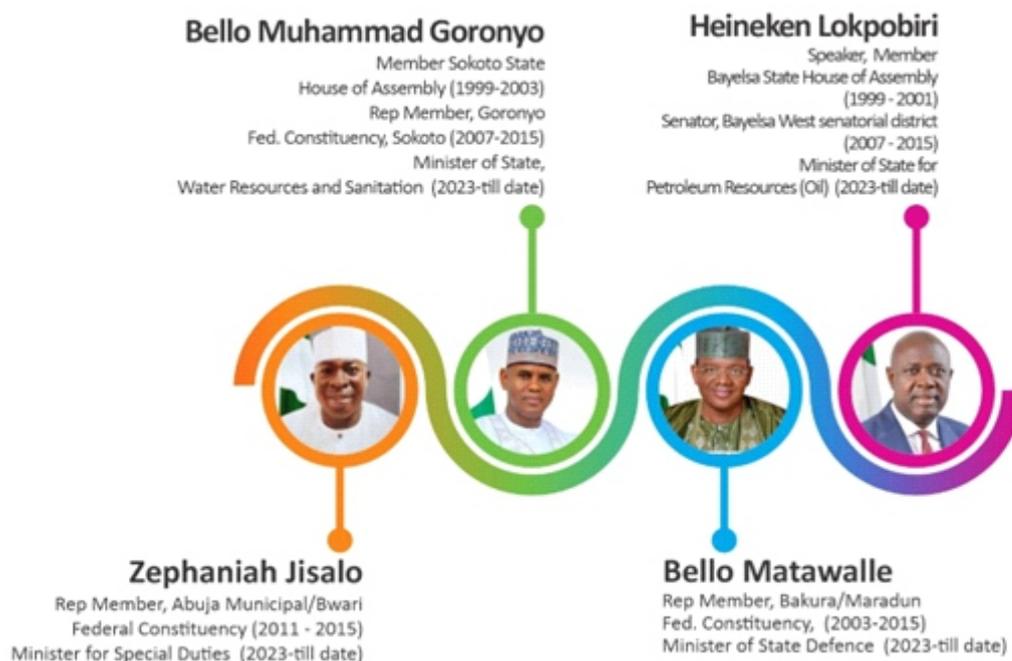


Figure 7

**Bello Matawalle:** Having served as a lawmaker and the 5th Governor of Zamfara State, Matawalle was appointed Minister of State for Defence in 2023. He began his legislative walk as a two-time member of the House of Representatives, representing the Bakura/Maradun federal constituency from 2003 to 2015. He then became governor from 2015 to 2023. He first started with the ANPP in 2003 until 2011, when he defected to the PDP until June 2021, when he joined the APC alongside three Zamfara senators, six out of seven House of Representatives members, and all 24 House of Assembly members. Is his experience in the legislature useful in his current role? Time will tell

**Heineken Lokpobiri:** Currently the Minister of State for Petroleum Resources (Oil), Lokpobiri was a two-time senator representing Bayelsa West senatorial district from 2007 to 2015 and a one-time Speaker of the Bayelsa State House of Assembly from 1999-2001. As a senator, Lokpobiri was on several committees like Sports, Public Accounts, Police Affairs, Niger Delta and Millennium Development Goals. Some of his legislative footprints include sponsoring bills like the National Agency for Elderly Persons bill seeking legal support, welfare and recreational facilities for older people in the country. He also sponsored a controversial bill that sought to curb recurrent labour strikes by casting ballots by members before the union could embark on strike action. While he won all his elections on the PDP platform, he decamped to the APC in 2015. He was appointed Minister of State for Agriculture and Rural Development in the Buhari-led administration. Will his long run in the legislature aid him in supporting the President in shaping the direction of the petroleum industry, balancing economic development with environmental and social considerations, and ensuring the efficient and responsible management of the nation's petroleum resources?

**John Owan Enoh:** John Enoh is the Minister of Sport Development. He comes to the role with a lavish legislative experience, having served as a member of the Cross River State House of Assembly from 1999 to 2003 before his election to the House of Representatives in 2003. He represented the Obubra/Etung Federal Constituency in the House for 12 years (2003 to 2015). He held several significant positions, including Chairman of the Committee on Appropriation, Chairman of the Committee on Finance, and Deputy Chairman of some other Committees. He moved to the Senate after being elected to represent Cross River Central Senatorial District from 2015 to 2019, where he served as Chairman of the Senate Committee on Finance. Though he has little to no experience in sports, the portfolio he has been assigned demands him to advance sports development by identifying talent, fostering national pride and unity, and contributing to the country's social, cultural, and economic well-being. John Enoh can always count on his vast network and experience to deliver value for the Tinubu administration. How he does that remains to be seen.

## From the Legislature to the Executive (FLEX) (Ministers)

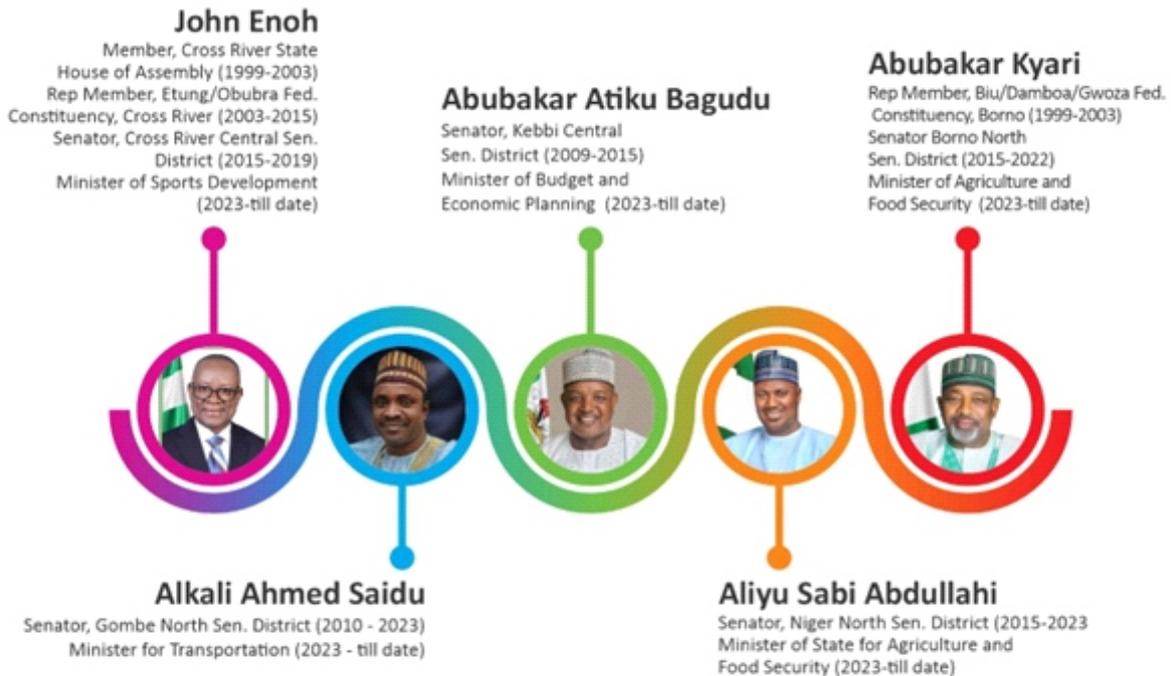


Figure 8

**A**lkali Ahmed Saidu is a three-time senator representing the Gombe North senatorial district from 2010 to 2023. He first came into the Senate on the PDP platform through a bye-election following the death of his predecessor. In 2023, he ran and lost his re-election to the former governor of the state, Ibrahim Hassan Dankwambo. As the cabinet for the current administration was being formed, he was appointed Minister for Transportation in August 2023. Will his years of experience in the legislature enable him to drive the much-needed development and transformation of the transportation sector?

**A**tiku Bagudu: Bagudu is the Minister of Budget and National Planning. Previously, he served as the Senator representing Kebbi Central senatorial district from 2009 to 2015. His entry into the Senate in 2009 was after being elected in the bye-elections held after President Goodluck Jonathan appointed his predecessor, Adamu Aliero, as

Minister of FCT. He also served as Governor of Kebbi for two tenures (2015 to 2023). Little was known of him while in the Senate, and he was named in the Pandora's Papers investigation involving allegedly corrupt top-profile Nigerians. His appointment as minister of budget and national planning is a sensitive one. It entails diverse responsibilities to manage the nation's financial resources effectively, coordinate economic planning, and promote sustainable development. Given the role the National Assembly plays in the budget process, the legislative-executive interaction with Bagudu is one to watch.

**Aliyu Sabi Abdullahi:** The current Minister of State for Agriculture and Food Security served as a senator representing Niger North senatorial district from 2015 to 2023 in the 8th and 9th National Assemblies, respectively. He was Deputy Chief Whip between 2019 and 2023, and his legislative footprints included sponsoring nine bills in three years during the 9th Assembly. These cover the health, education, artisanal petrol refining, agriculture and economic sectors. With a background in veterinary medicine, Nigerians are keen on what initiatives and actions the minister drives to enhance agricultural productivity, ensure food availability, promote sustainable farming practices, and address food insecurity challenges. Will he draw sufficiently on his legislative background? Time will tell

**Abubakar Kyari** was first elected into the House of Representatives in 1998 under United Nigeria Congress Party. However, following the death of General Sani Abacha and the eventual dissolution of the UNCP, he couldn't assume office. He returned in 1999 after being re-elected to the House representing Biu/Dambo/Gwoza federal constituency, Borno, under the All People's Party (APP) and served until 2003. In 2015, Kyari transitioned to the Senate as an All Progressives Congress (APC) member, securing re-election in 2019. However, he resigned from the Senate in April 2022 to assume the role of APC deputy national chairman, North. In 2023, he was appointed Minister of Agriculture and Food Security by President Bola Tinubu. Given the recent hike in food prices and fear of a looming food security crisis, Nigerians expect Kyari to play a critical role in driving Nigeria's agricultural transformation agenda and ensuring the country's food security goals are achieved.

# 5ii. FLEX Class of Governors

Not only have politicians with legislative backgrounds transitioned into executive positions at the federal level, some have also gone on to contest and become elected into the state executive as governors and deputies. The class of Former Legislators in the Executive (FLEX), now governors and deputy governors, include the following:

**Ahmadu Umaru Fintiri:** He is the current Governor of Adamawa State. Fintiri was an Adamawa State House of Assembly member from 2007 to 2019. He was later elected Speaker of the Assembly and, in that capacity, served as Acting Governor of the state following the impeachment of Admiral Murtala Nyako in July 2014. He subsequently contested for the governorship in 2019 under the PDP and won. In 2023, he won a second term after a testy contest with the APC candidate, Senator Aishatu Dahiru Ahmed. As Fintiri takes his final lap in office as governor, there is yet mixed opinion regarding his performance. His trajectory offers an example of how the exposure and experience of former legislators have impacted governance and enhanced executive-legislative relations.

## From the Legislature to the Executive (FLEX) (Class of Governors)

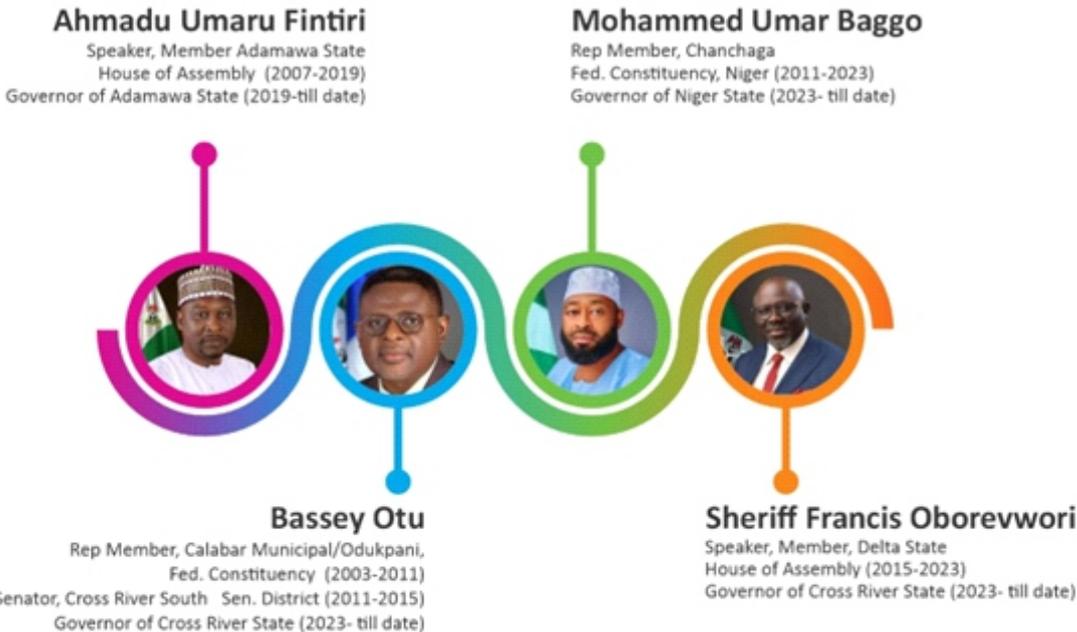


Figure 9

**B**assey Edet Otu: Otu is the current Governor of Cross River State. Hitherto, he served as the Cross River South senatorial district senator from 2011 to 2015 and as representative of Calabar Municipal/Odukpani federal constituency in the House of Representatives from 2003 to 2011. He was Chairman House Committee on Petroleum Resources (Upstream), Vice Chairman House Committee on National Population and a member of committees on Power, Ministry of Niger Delta, Inter-Parliamentary Relations, Inter-Intra Party Relations, Environment, Water Resources and Defense. He was also Chairman of the Senate Committee on Finance and later Chairman of the Senate Committee on Banking and Other Financial Institutions while serving as a member of the Committees on Navy, Power, Petroleum and Water Resources. His party platform straddles the PDP and, currently, APC. Being on his first term in office, the ample legislative experience he parades is expected to impact the governance of Cross River and inter-governmental relations with Abuja. Will he deliver differently from his predecessor, who was also a senator before becoming governor? It is still early days, but the clock is ticking already.

**U**mar Bago: Bago was the lawmaker representing Chanchaga Federal Constituency in the House of Representatives since 2011. He has been deeply tested in the politics and policies of parliament, with the credit of an unsuccessful bid for a speakership in 2019. However, fate smiled on him in 2023 when he contested and won the Niger state governorship election on the APC platform. While in the 9th Assembly, Bago sponsored four bills in three years. None of them passed. His other legislative footprints include chairing the House Committees on Maritime Safety, Education and Administration, during which time he led legislative oversight over the Nigeria Maritime Administration and Safety Agency (NIMASA). Niger State is confronted with a myriad of challenges, including high-level insecurity and infrastructure deficit. To navigate these hurdles, effective leadership is indispensable. Ordinarily, Bago's legislative experience should count for him. But will it? He has three years plus to prove his mettle.

**S**heriff Oborewori: Sheriff was a Delta State House of Assembly member representing Okpe State Constituency from 2015 to 2023, serving as Speaker in the last lap of his stint in assembly. In the 2023 governorship election, he emerged victorious on the PDP platform, defeating his closest contender, Senator Ovie Omo-Agege of the APC. Given his advocacy for local government autonomy and signing of Key Performance Indicators (KPIs) bonds for commissioners, citizens are keen on the type of policies he will push through the legislature in his first term. While there have been mixed reactions to his performance in office thus far, the people of Delta state continue to monitor the governor to see how and if his performance matches campaign promises that hammered on advancing the living conditions of Deltans. As one with cognate legislative experience at the state level, all eyes would be on him to see how he delivers his promises and advances executive-legislative relationships.

## From the Legislature to the Executive (FLEX) (Class of Governors/Deputies)

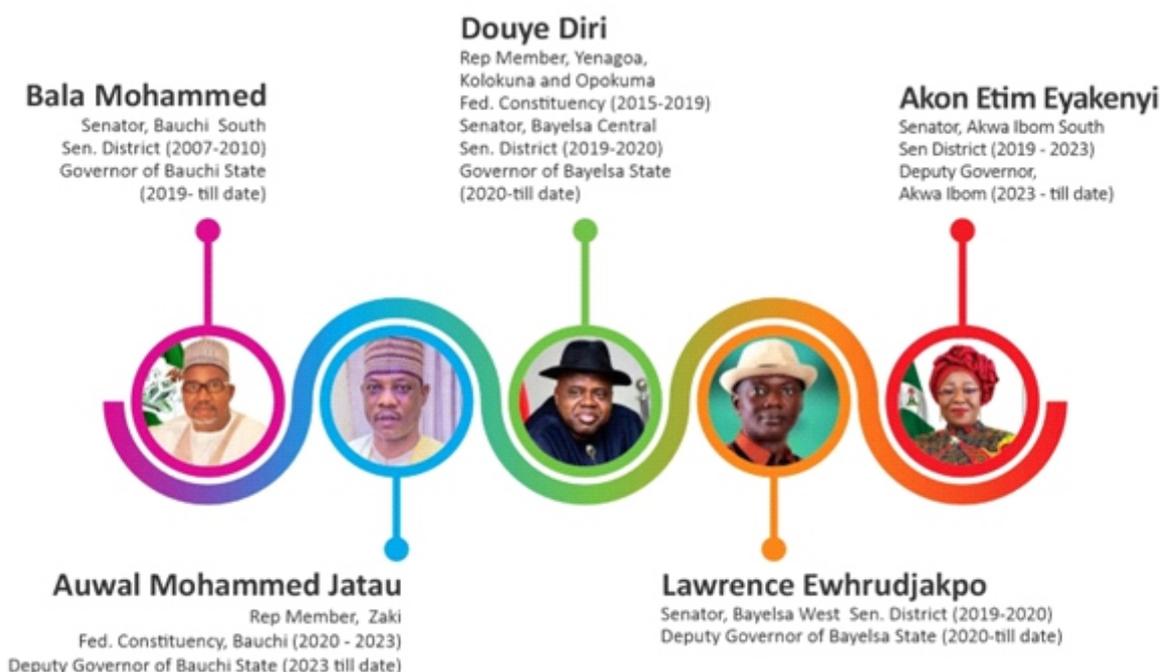


Figure 10

**Bala Mohammed:** He served as Senator for Bauchi South senatorial district from 2007 to 2010. He contested and won the election under the All Nigeria Peoples Party (ANPP) platform but defected to the PDP in 2010 and subsequently won the governorship elections in 2019 and 2023, respectively. He was appointed Minister of the Federal Capital Territory (FCT) in 2010 by former President Goodluck Jonathan in what many perceived as a reward for his advocacy for the "Doctrine of Necessity" in the Senate. His legislative footprint includes being the vice chairman of the Senate Committee on Aviation, secretary, and Northern Senator's Forum leader. At the end of his tenure in office, Mohammed would have proven whether or not legislative experience counts in the optimal performance of state chief executives.

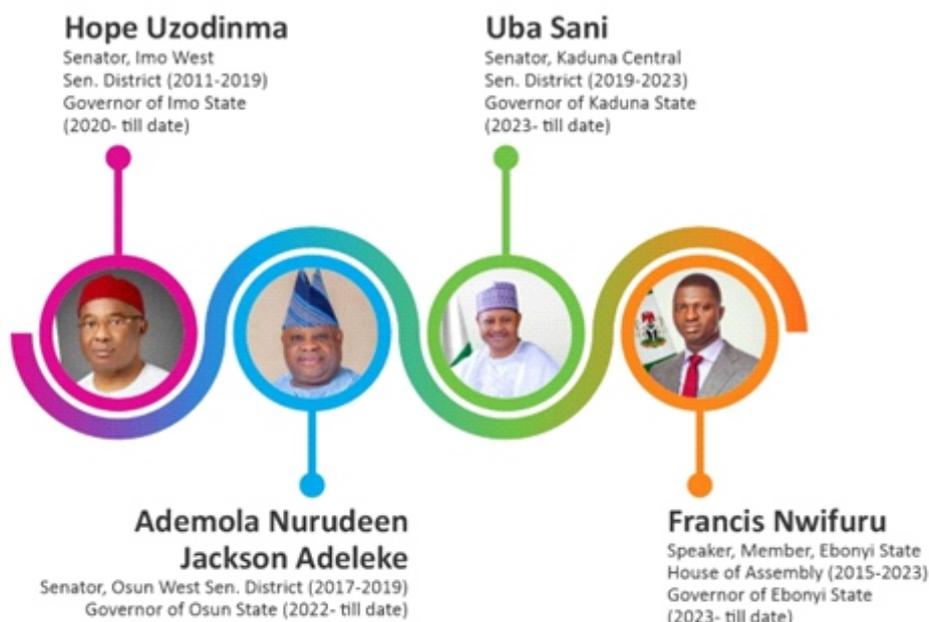
**Auwal Mohammed Jatau:** He was a 9th House of Representatives member representing the Zaki Federal Constituency of Bauchi from 2020 to 2023. While in the House, he sponsored one bill in three years. The bill on agricultural loan facilities failed to move beyond the third reading. During the governorship elections in 2023, he was picked to serve as running mate to Bala Mohammed. Upon winning elections, he now serves as the Deputy Governor of Bauchi state. With the governor also having some legislative experience, the deputy is expected to bring innovative measures to the forefront to move the state forward in development.

**Douye Diri:** He was the senator representing Bayelsa Central senatorial district from 2019 to 2020 in the 9th National Assembly. This was after a four-year tenure in the House of Representatives (2015-2019). He contested in the Bayelsa governorship election in 2020 and came second. Fate, however, smiled on Diri when a judicial decision disqualified his rival, David Lyon of the APC, over false certificates presented by his running mate. In the November 2023 governorship election, Diri was again elected as the governor for a second term. As with most states, Bayelsa struggles with unemployment, poverty, education, and a lack of social security and amenities. How well will Diri, being a former legislator, impact the fortunes of Bayelsa after eight years in office?

**Lawrence Oborawharievwo Ewhrudjakpo:** Like Governor Diri, Lawrence Ewhrudjakpo was the senator representing the Bayelsa West senatorial district from 2019 to 2020. He was picked as running mate to Diri and subsequently emerged as deputy governor. While his time at the senate was short, it is expected that Ewhrudjakpo, a PhD holder in Human Rights and Labour Law, will provide increased administrative and political support to advance the state's development and well-being in their second tenure.

**Akon Etim Eyakenyi:** She represented Akwa Ibom South senatorial district in the 9th National Assembly (2019 to 2023) and then emerged as Deputy Governor of Akwa Ibom State under the PDP platform after the 2023 polls. While in the 9th Senate, her three bills were all establishment bills, and none were passed. Given her legislative experience and career growth in the education sector, the former senator is expected to champion policies that improve education in Akwa Ibom State.

## From the Legislature to the Executive (FLEX) (Class of Governors)



*Figure 11*

**Hope Odidika Uzodimma:** Hope Uzodimma was inaugurated on 6 June 2011 as a Senator representing Imo West senatorial district on the platform of the PDP. He was re-elected for a second term in 2015, also under the PDP. In 2018, he left the PDP to join the ruling APC in a move that enabled him to easily contest for Imo State governor in the 2019 gubernatorial elections. In 2020, Hope Uzodimma was declared the winner of the 2019 gubernatorial elections by the Supreme Court following the nullification of the election of the then-incumbent governor, Emeka Ihedioha. One of his first duties in alignment with the legislative arm in 2020 was his assent to the bill repealing the Pensions law. Uzodimma argued that paying pensions to former governors is illegal and anti-people. Having barely just begun a second term as governor, there will be ample metrics to measure his performance in office, and his legislative background has either aided or hindered him.

**A demola Nurudeen Jackson Adeleke:** Governor Adeleke was previously in the senate representing Osun West senatorial district (from 2017 to 2019). He got into the senate following the passing of his brother, Isiaka Adeleke, and the conduct of the 2017 by-election, which he won under the banner of the PDP. Although there was a lot of public interest when he was elected into the senate (owing mainly to his love for dancing, for which he earned the moniker ‘dancing senator’), not much was heard of his legislative footprint. He was elected governor in 2022, defeating the incumbent, Gboyega Isiaka of the APC. Without much to his stint in the legislature, Adeleke’s impact on Osun State’s governance may be limited regarding executive-legislative engagements. The jury is still out, though.

**U ba Sani:** Sani represented Kaduna Central senatorial district in the 9th National Assembly. He emerged as Governor of Kaduna state under the APC platform in the 2023 general elections. While in the senate as a first-time lawmaker, Uba Sani emerged as overall best in Nigeria’s first-ever Most Valuable Parliamentarian (MVP) Hall of Fame based on his performance in bills sponsorship in the 9th Assembly. This was measured by the value and impact of the bills he sponsored and the level of accountability, character, and exemplary (ACE) values expected of public officeholders. Besides being the Chairman of the Senate Committee on Banking, Insurance and Financial Institutions, Sani’s legislative footprints included sponsorship of key bills such as the Bank and Other Financial Institutions Act (BOFIA) Amendment and the Asset Management Corporation of Nigeria Act (Amendment) both of which were assented to by former President Muhammadu Buhari. There is an expectation that as successful as four years in the National Assembly, Sani would steer the affairs of Kaduna state towards sustainable development for an inclusive Kaduna, irrespective of tribe or religion.

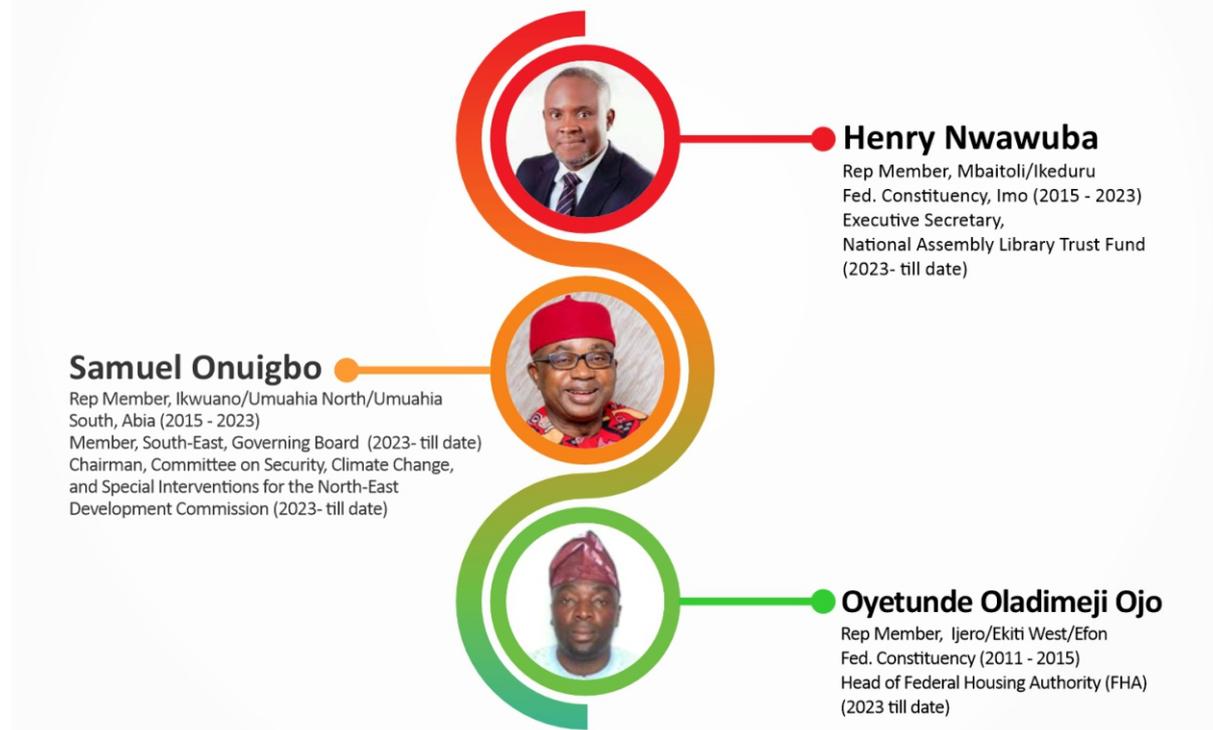
**F rancis Ogbonna Nwifuru:** He was a third-term representative of the Izzi West State Constituency in the Ebonyi State House of Assembly. Nwifuru served as Speaker of the Assembly from 2015 to 2023 under the PDP platform. During the 2023 gubernatorial elections, he emerged victorious under the APC, having decamped to the ruling party alongside then-Governor Dave Umahi and won the primaries. He was then sworn in as the fourth democratically elected governor. With a manifesto christened “Ebonyi People’s Charter of Needs,” Nwifuru stated that Ebonyians would be the ones to choose what their needs are for the Government to implement and not the other way round. So far, he has rolled out health insurance schemes, education and agriculture intervention funds, sports development initiatives and the enactment of the Rural Access Roads Authority Law, amongst others. This legislation gives the administration the authority to undertake extensive and aggressive construction of rural roads without facing obstacles. As he progresses in his first tenure as governor, citizens are seized with the responsibility of tracking how effectively he implements policies that genuinely align with the needs of the people while bringing about sustainable development across Ebonyi.

## 5 iii. FLEX in Boards/Parastatals

**J**ust as we have seen legislators transition into the executive branch as ministers, aides, and state governors, it is not uncommon for legislators to transition into leadership roles within government parastatals or agencies. Leveraging their legislative experience and expertise, these individuals should be able to shape policies and drive development initiatives. Their appointments signal a recognition of their capabilities and a commitment to utilising their skills in various government sectors. These former legislators bring significant knowledge about legislative processes, public policy, and governance frameworks, which can prove instrumental in effectively managing and operating government agencies if well-channelled. Some legislators who currently head parastatals or their boards include the following.

**H**enry Nwawuba: Henry was a two-time member of the House of Representatives from 2015 to 2023, representing the Mbaitoli/Ikeduru federal constituency of Imo state. He served as the Deputy Chairman of the House Committee on Niger Delta and also chaired the House Committee on the implementation of the 9th House Legislative Agenda. He also served on the technical committee for the Petroleum Industry Bill (PIB). Nwawuba sponsored nine bills in three years, while the 9th Assembly centred on security, education, constitution alteration and other national developments. During the 2023 election, he contested for re-election and lost under the All Progressives Grand Alliance (APGA) platform. In August 2023, he was appointed Executive Secretary of the newly established National Assembly Library Trust Fund. Although a legislative-owned agency, Nwawuba performs solely executive functions as head and has outlined a vision to make the outfit a world-class centre for the generation and accumulation of knowledge pertinent to the legislature and national development. It will also serve as a centre for research and a platform for public dialogue and debate on legislation, governance, and national development issues. Eyes are on Henry to see how he pioneers this new agency of government.

## From the Legislature to the Executive (FLEX) (Boards/Parastatals)



**Figure 12**

**Samuel Onuigbo:** From 2015 to 2023, Onuigbo was elected as the member representing Ikwuano/Umuahia North/Umuahia South federal constituency, Abia state, in the House of Representatives on the PDP and APC platforms respectively. He served as Chairman of the Committee on Climate Change during the 8th Assembly. While in the 9th Assembly, he sponsored four bills, one of which was the Climate Change Bill, passed and assented to by President Muhammadu Buhari in November 2021. The globally transformational, intergenerational and cross-cutting value and impact of the Climate Change Law, which is now being implemented, stands him head and shoulders above in the discharge of his lawmaking function. This also qualified him for induction into Nigeria's first-ever Most Valuable Parliamentarian (MVP) Hall of Fame designed and implemented OrderPaper. In the 2023 general elections, he

contested for the Abia Central Senatorial District seat but lost. He serves as a Member (South-East) on the Governing Board and chairs the Committee on Security, Climate Change, and Special Interventions of the North-East Development Commission (NEDC).

**Oyetunde Oladimeji Ojo:** Ojo previously represented the Ijero/Ekiti West/Efon federal constituency in the House of Representatives from 2011 to 2015. In 2023, he was appointed as the head of the Federal Housing Authority (FHA) by President Tinubu). As the head of FHA, he has emphasised the shift towards a "user-driven" policy in management, aiming to engage with different states to understand their unique housing preferences and values. Rather than imposing designs on communities, the goal is to foster ownership by tailoring housing models to their specific needs.

# 5iv. FLEX Special - From Senator to First Lady

Quarterly Policy Review  
Q1, March 2024

OrderPaper

## From the Legislature to the Executive (FLEX)



### Fact File:

The Office of the First Lady is recognised for its social activism and ceremonial role, but it is however not provided for by the 1999 Constitution of the Federal Republic of Nigeria (as amended)

*Figure 13*

**Oluremi Tinubu:** The First Lady of Nigeria served three terms as a Senator representing Lagos Central senatorial district from 2011 to 2023. During her tenure, she advocated for various legislative measures, including creating state police and reforms within agencies like the Nigerian Postal Service (NIPOST). Noteworthy motions and bills she championed included initiatives to address underage molestation in remand centres, gender restrictions on rape offences, and stiffer penalties for kidnapping. Taking up the office of the First Lady in 2023, her social activism projects have been centred on promoting the executive's 7-point agenda tagged Renewed Hope. While the Office of the First Lady is recognised for its social activism and ceremonial role, it is, however, not provided for by the 1999 Constitution of the Federal Republic of Nigeria (as amended)

## 6. The FLEX Effect on Nigeria's Democratic Development

The system of safeguards put in place to promote accountability, prevent abuse of power, and maintain the separation of powers among the three arms of government- the Executive, Legislative, and Judiciary - is called the principle of Checks and Balances. While reinforcing the independence of the three arms of the government, it also fosters interdependence regarding providing oversight over one another. Checks and balances form a critical cornerstone of the democratic system, ensuring that no single branch of government accumulates excessive power and rides roughshod over the others. Observance and adherence to checks and balances are core metrics for measuring the growth and development of democracy.

Described in simple terms as the people's government, by the people and for the people, democracy would be stifled by the concentration of powers in one branch of government, an institution (the presidency, for instance) or an individual (the president in this case). While the independence of each arm is not absolute, the interdependence created by statutes is not such that they are intended to circumscribe the institutional confines or powers of the other. Perhaps to avoid overreach, the law provides specific means to express checks and balances.

For the legislature, the powers of oversight over the executive branch are vital for maintaining accountability, promoting transparency, and preventing abuses of power. Besides being seized with the responsibility to confirm nominees into the cabinet, some statutory heads of agencies, and the armed forces, the legislature has extensive powers over the purse - manifested through annual appropriation and control over public expenditure. Furthermore, the legislature can remove the president (or governor) from office for gross misconduct. This power is, however, not absolute, as the judiciary is statutorily required to play critical roles in consummating an impeachment and removal from office. This demonstrates a case of checks and balances on a legislature that may be power-drunk or on a journey to witch-hunt. On the flip side, the legislature is not allowed to debate or legislate on a matter before a court of competent jurisdiction, thereby preserving the independence and sanctity of the judiciary. Recent practices have also confirmed some quasi-legislative powers of the Executive branch of government - for instance, the promulgation of executive orders by the President, although seen by some as contentious. The public petitions mechanism of the legislature, whereby disputes between individuals and institutions are adjudicated, is a quasi-judicial function. It is trite that decisions of the Supreme Court, as the apex judicial authority in the country, have policy implications. This is a manifestation of the checks and balances principle, in much the same way as the appointment and confirmation of justices of the court by the executive and legislature, respectively. The academic literature and records of democratic practice contain more robust explanations and examples of the separation of powers and checks and balances.

What suffices here is an attempt to interrogate how the FLEX (Former Legislators in the Executive) effect is either promoting or constraining these twin principles. One area where this effect is copious is the president's confirmation of cabinet and other nominees. Ex-legislators nominated for appointment have permanently been excluded from scrutiny by the National Assembly. The 'take a bow' privilege, whereby these nominees are not asked a single question about how they intend to add value to the government, has been criticised by many. This practice, which predates the current Tinubu administration, has eroded the powers of the parliament to assure the nation of the capacity, competence and expertise of would-be ministers and heads of relevant agencies. The argument is that the practice has promoted mediocrity and elevated cronyism. It has also eroded the power of the people (since legislators directly represent the people) to assure themselves that those in government deserve the roles and responsibilities assigned to them.

In some cases, the FLEX effect can also be observed in weakened legislative capacity or lax legislative oversight. One significant example of this phenomenon in Nigeria is the non-approval of the Medium-Term Expenditure Framework (MTEF) before the presentation of the national budget and the speedy approval of the budget without thorough scrutiny of its estimates.

The MTEF is a critical tool for fiscal planning and budgeting, providing a framework for government expenditure over a medium-term period. However, in recent times, the non-approval of the MTEF by the National Assembly before the budget presentation by the President has been elevated to a perennial practice that can undermine legislative oversight of the budgetary process. Without a thorough examination of the MTEF, lawmakers may lack adequate information and analysis to scrutinise the budget proposals put forth by the Executive effectively. This can result in the diminished capacity of the legislature to exercise its constitutional mandate of checks and balances on the fiscal policies and expenditures of the executive.

Furthermore, the speedy approval of the budget without thorough scrutiny of its estimates can lead to potential inefficiencies, misallocations, and even corruption in government spending. In the rush to meet deadlines or political expediency, lawmakers may forego comprehensive review processes, compromising the quality and accountability of budgetary decisions.

Overall, the effects of the transition from the Legislature to the Executive on legislative capacity and oversight mechanisms in Nigeria underscore the importance of robust institutional mechanisms and adherence to constitutional processes. Strengthening legislative capacity, ensuring timely approval of critical fiscal frameworks like the MTEF, and thoroughly scrutinising budget estimates are essential for promoting transparency, accountability, and prudent fiscal management in Nigeria's governance system.

## 7. The FLEX Impact on Policy and Governance

Given their nexus in the leadership recruitment ladder, the presence of legislators in the cabinet and other executive-level positions is supposedly a value addition to the policy and governance space. Considering the experience, expertise, and exposure they are assumed to have gained while in parliament, former legislators should naturally advance the governance process and facilitate improvements to the lives and living conditions of citizens and residents of the country. The policy process should be smoother or better facilitated, with ambassadors of the legislature holding critical positions in the executive.

However, practice has shown otherwise. An example involves the budgetary process where conflict of powers and boundaries between the executive and legislature appears to be a perpetual ingredient of budget passage and implementation. Both arms of the government have clashed at various times over the extent to which the National Assembly can alter budget estimates presented by the President. This has led to claims and accusations of 'budget padding,' alterations of figures and other sensational corruption-laden media reports that have attended the annual appropriation at various times of the 4th Republic. Unfortunately, the central figures involved in these crises are former legislators - the Minister of Budget and National Planning in office when the budget padding scandal in the House of Representatives broke out in 2016 was a one-time ranking Senator (Sen. Udoma Udo Udoma). Sadly, the recent budget padding crisis that swept the Senate happened under the watch of the current Minister of Budget and National Planning, who was also a senator (Sen. Atiku Bagudu).

The influence of former legislators in the executive branch can also be seen in terms of acquiescence by the parliament when it comes to policy direction and/or interrogation. For instance, when Femi Gbajabamila, the President's Chief of Staff and immediate past Speaker of the House of Representatives, called for the regulation of social media, many observers found it curious that his successor in office and incumbent Speaker, Tajudeen Abbas, on the same day, vowed that parliament would toughen cyberbullying laws. As much as legislators are entitled to their opinions despite their positions at the National Assembly, they must be independent of their positions in the National Assembly, especially where the opinions reek of political acquiescence.

Nigeria, seen as Africa's largest economy, has witnessed several shifts in its governance system. Yet, it still has a long way to go in delivering effective services and political and socio-economic benefits to its people. FLEXes have a golden opportunity to make an impact in this direction.

## 8. FLEX and Tinubu's Legacy

In chapter two, we considered an overview of former legislators who got appointed as ministers and heads of agencies of the federal government and by the historical account of the 4th Republic provided, the transitioning of politicians from one branch of government to the other dates back to the Olusegun Obasanjo presidency. But of the five presidents the country has had since 1999, President Bola Tinubu has made the record of appointing the most FLEXes to serve in his administration at any given time.

Interestingly, President Tinubu has formed the most expanded cabinet with fifty-two members. Eight of these are females, highlighting an unbalanced gender ratio. Eighteen of these ministers have legislative backgrounds. Could Tinubu's background as a former senator be responsible for this unprecedented record? Or the fact that his wife and First Lady, Oluremu Tinubu, is also a former senator? Or the additional fact that his Chief of Staff, Femi Gbajabiamila and Secretary to the Government of the Federation (SGF), are also former legislators? Or are these mere coincidences? These and other questions are being raised to interrogate the motivation of the President in his significant FLEX appointments.

Recall that in the early years of the 4th Republic, the military's influence was quite prevalent in the polity. A notable number of retired officers found their way into public office, including as elected members of the National Assembly and ministers of the government. An explanation for that situation often hinged on the fact that the President at the time (Olusegun Obasanjo) was a retired General. So, it was a given that he would look towards his tribe in forming his government. It was assumed that since civilian democracy was just relaunched, it was necessary to gradually ease the 'militocrats' from the political arena to stabilise the polity. President Tinubu has tilted the scale heavily in favour of the legislature. Whether this will be to his advantage remains to be seen.

But given his acknowledged political experience and exposure, it is expected that President Tinubu will be adroit in marshalling the various tendencies in his cabinet to achieve coherence and cohesiveness in the interest of public service delivery. The President will be judged for how he manages or mismanages executive-legislative relationships. In shooting for synergy between both arms of government, will the Tinubu presidency weigh heavily against the legislature to the point of eroding the independence and powers of the National Assembly? Would Nigeria have a 'rubber stamp' legislature under the Tinubu administration?

Synergy, in the sense used here, refers to cooperation and collaboration between the executive and legislative branches of government. When synergy exists, both branches work harmoniously to achieve common goals and objectives, such as the smooth passage of legislation and implementation of legislative resolutions. At the risk of compromising the twin principles of separation of powers and checks and balances, this collaboration often leads to more effective governance and better outcomes for the country as a whole. Synergy under the current administration is further fostered by the ruling party controlling the majority in both houses of the National Assembly.

Expectedly, the FLEXes in his cabinet should be vital assets in building this synergy and driving key and sustainable reforms that can stand the President out in terms of achievements. This will be a defining factor of the legacy Tinubu will leave after his tenure in office.

# 9. Public Opinion and Perception on the Transition from the Legislature to the Executive

**T**ransitioning from the legislature to the executive branch is pivotal in any political system. It represents a shift in power and responsibility that shapes the direction of governance.

Challenges associated with appointing ex-legislators to the executive arm of government are necessarily part of the evolution of democracy and governance in Nigeria. While challenges may exist, many opportunities also arise to enable beneficial outcomes. Concerned stakeholders should pay attention to this emergent FLEX flavour in public governance and its consequences for service delivery and democratic consolidation.

In essence, it is vital to understand that appointing ex-legislators to the executive branch in Nigeria requires a nuanced examination of the practice's rationale, political implications, challenges, and potential outcomes. By engaging in informed dialogue and collaborative efforts, stakeholders can contribute to developing governance systems that foster democratic growth and development, safeguard institutional integrity, and serve the best interests of the Nigerian people.

As part of this Quarterly Policy Review (QPR), public opinion on the FLEX effect and expectations on the current administration was undertaken- a survey on the perception of citizens on the appointment of former legislators into executive service was done targeting residents of the Abuja Municipal Area Council (AMAC). The sample population comprised 103 participants, carefully selected to ensure diverse representation across demographic variables. The questionnaire was thoughtfully structured to encompass multifaceted dimensions about appointing elected representatives to executive positions within the government. Key focal points included the perceived eligibility of legislators for such appointments while still in office, the potential ramifications on accountability and transparency, the extent of public engagement in the appointment process, financial considerations associated with byelections necessitated by vacancies, deliberations on term limits for former elected representatives assuming executive roles, and the contemplation of

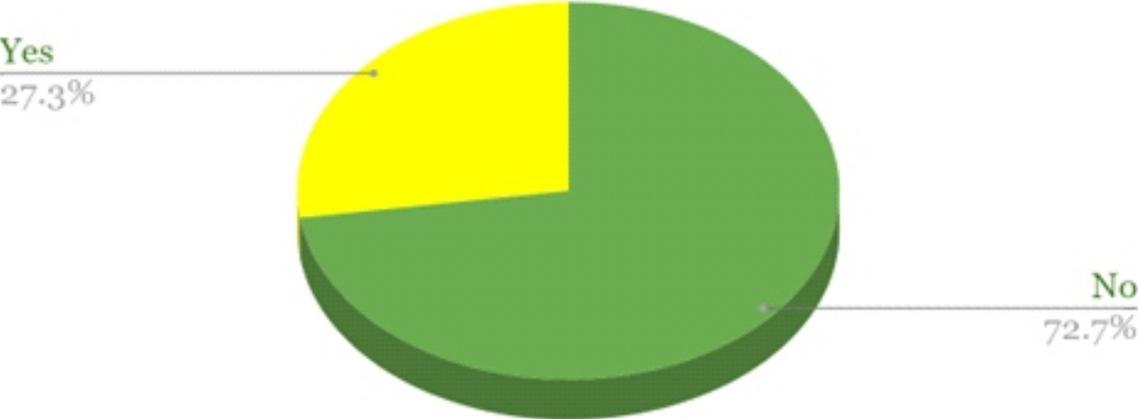
imposing waiting periods before such appointments after the conclusion of an elected representative's term. This methodical inquiry gave valuable insights into public opinion regarding the legislature-to-executive transition, thereby enriching scholarly discourse on governance dynamics and democratic processes.

Overall, the questionnaire aimed to gather insights into the governance practices surrounding the appointment of elected representatives to executive roles, considering factors such as democratic accountability, public participation, cost-effectiveness, and the potential need for policies such as term limits and waiting periods.

**Findings from the survey:**

The survey findings on the appointment of legislators to executive positions reveal a significant divergence of public opinion on various aspects of this practice. Firstly, a substantial majority (72.7%) of respondents believed that elected representatives should not be eligible for appointment to executive positions while still serving their terms in the National or State Assembly.

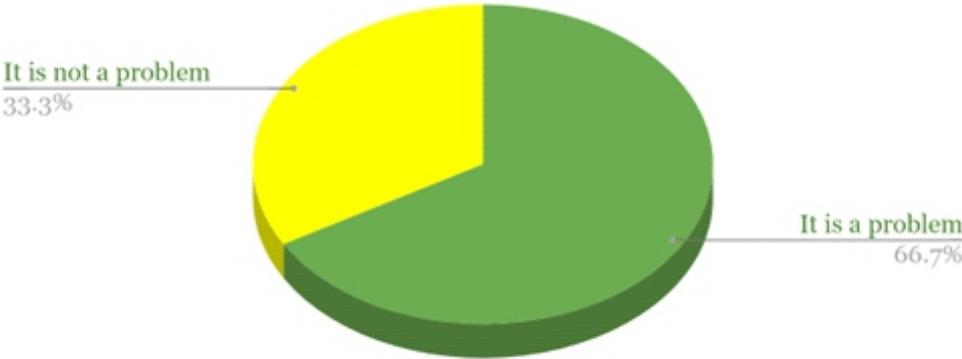
**Count of Appointment to Executive Positions:  
Should elected representatives be eligible for appointment  
into executive positions while still serving their term as legis...**



**Figure 14**

Furthermore, the perception of accountability and transparency surrounding such appointments was predominantly negative, with 66.7% of respondents indicating that appointing elected representatives to executive roles undermines transparency and accountability within governance structures. This sentiment underscores the importance of public trust and confidence in governmental processes, particularly ensuring that decision-making processes are conducted with integrity and openness.

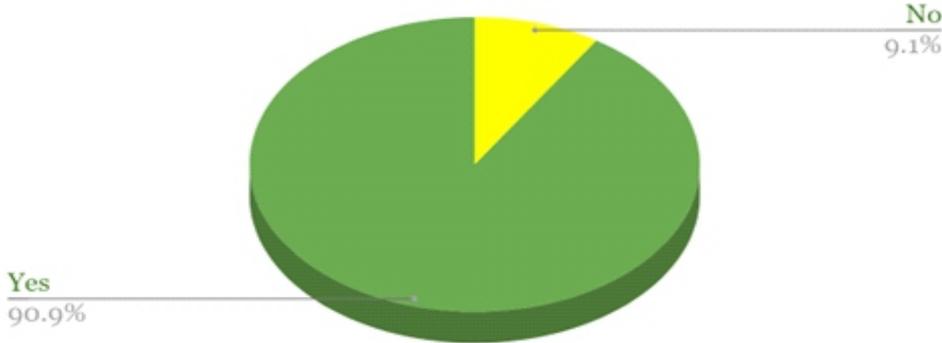
**Count of How do you perceive the practice of appointing elected representatives into the executive in terms of accountability and transparency?**



**Figure 15**

Regarding public involvement in the appointment process, an overwhelming majority (90.9%) of respondents advocated for the public to have a role or be involved in the appointment process of elected representatives to executive positions. This reflects a desire for greater citizen engagement and participatory democracy, highlighting the importance of inclusive governance practices.

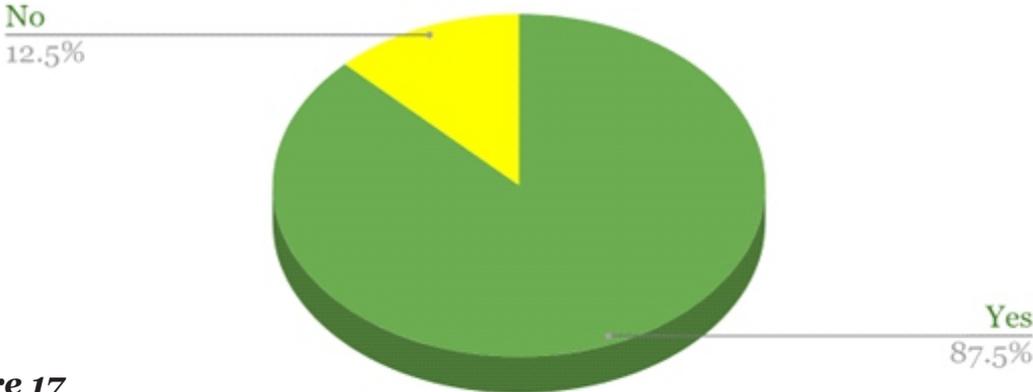
**Count of Public Input: Should the public have a say or be involved in the appointment process of elected representatives to executive positions?**



**Figure 16**

Moreover, concerns about the financial costs associated with byelections to fill vacancies left by appointed legislators were evident, with 87.5% of respondents agreeing that such appointments lead to unnecessary expenditure of public funds. This highlights the economic implications of appointing sitting legislators to executive positions and underscores the need for cost-effective governance practices.

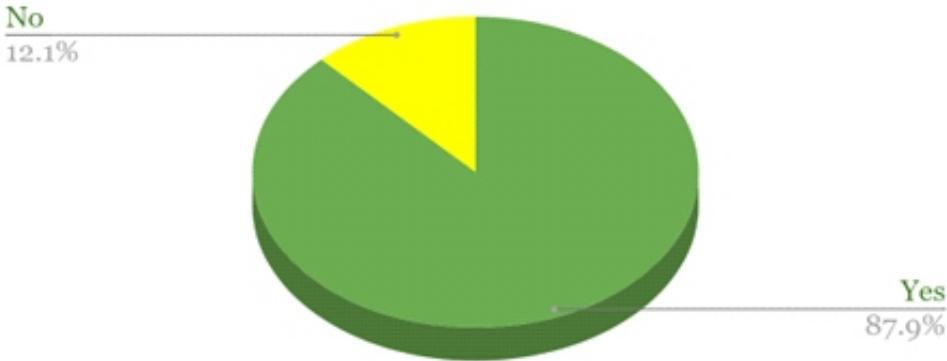
**Count of Should the appointment of elected representatives into the executive be stopped regarding the high cost of organizing bye elections due to vacancies**



**Figure 17**

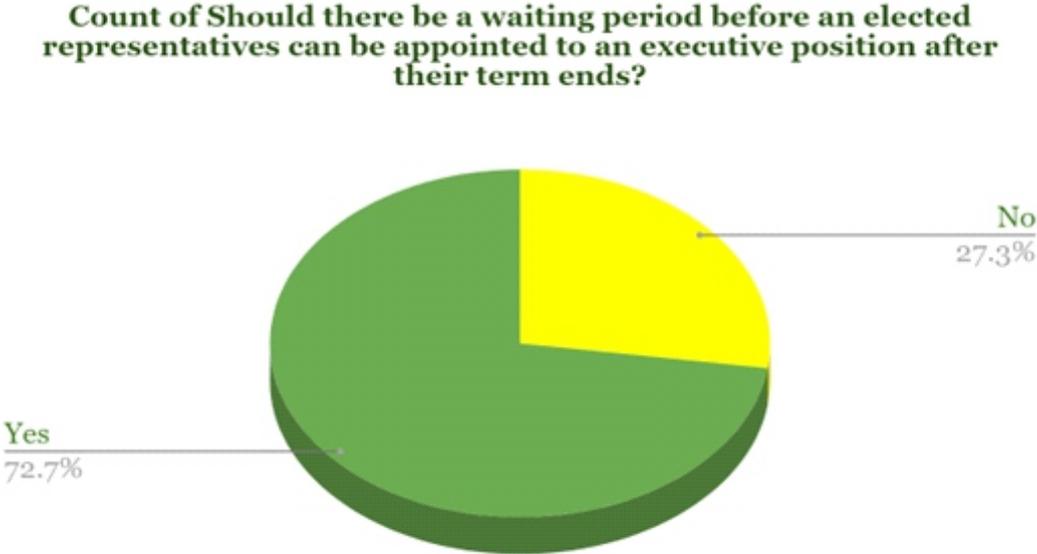
Regarding term limits and restrictions, a significant majority (87.9%) of respondents supported the imposition of limits on the number of executive positions a former elected representative can hold. This suggests a desire to de-politicize appointments and ensure the rotation of leadership roles to facilitate the emergence of fresh perspectives and capable leadership.

**Count of Term Limits and Restrictions:  
Do you think there should be a limit on the number of executive positions a former elected representative can hold?**



**Figure 18**

Finally, on the topic of instituting waiting periods before an elected representative can be appointed to an executive position after the conclusion of their term, 72.7% of respondents agreed to the proposal. This underscores a belief in the importance of introducing safeguards to prevent the immediate transition of legislators into executive roles, thereby promoting transparency, accountability, and meritocracy in appointments.



**Figure 19**

Overall, the survey results highlight a range of public concerns and preferences regarding the appointment of legislators to executive positions, emphasising the need for careful consideration of governance practices to uphold democratic principles and foster public trust in political institutions.

## 10. Postscript

There is a growing trend of legislators who have transitioned into executive roles, such as CEOs of agencies or Cabinet Ministers. Is there a benefit to the nation and the health of democracy of having former lawmakers working in the executive branch of the government? This clearly warrants further interrogation. Thankfully, the foundation has already been set by **OrderPaper**, perhaps Nigeria's most progressive parliamentary monitoring group with significant clout in public policy circles. A wide range of stakeholders, including those in academia and research institutes, the media, and, of course, political players participating in the government and governance of our beautiful country, will significantly benefit from the explanations and insights provided in this Quarterly Policy Review (QPR). Given its critical role in maintaining social order, law enforcement, and citizen welfare, the legislature is, without a doubt, the primary barometer used to evaluate the health of representative democracies. Nigeria, which has a presidential democracy fashioned after the US, is no exception either. Therefore, it is both a great honour and a significant responsibility to be chosen to represent the people in the legislature. It is a duty that gives those called the capacity to direct the government and expedite the realisation of the objectives and policies of the governing body. In this light, former legislators called into further public service in the Executive branch are assumed to come with a perspicuous understanding of the functioning of government that brings value to the policy-making and implementation process. They are expected to bring their experience and exposure in parliament to smoothen relations between branches and advance the delivery of policy outputs that fulfil democratic dividends. However, it is also feared that, as expressed in this work by **OrderPaper**, they could become instruments of wilful and inordinate subjugation of the legislature and, by extension, undermine the core principles of separation of powers and checks and balances upon which modern-day democracy is built. The argument that legislators turned executive (FLEX) can be a double-edged sword that cuts either way has been highlighted in this work. As I stated earlier, it is up to researchers, think tanks, and other interested entities to dive deep into the concept. However, the administration of His Excellency President Bola Ahmed Tinubu provides a practical case study of the FLEX phenomenon. Being a former Senator himself and having his deputy as a one-time member of the Senate, President Tinubu has appointed the highest number of ex-legislators into his government in the history of presidential democracy in Nigeria. He, therefore, stands on the cusp of history. Will he be justified in taking this unprecedented route of leadership recruitment at the end of the day? Will the team of former senators and ex-members of the House of Representatives in the cabinet, presidency and the entire Executive branch justify the confidence the President has reposed in them? These and other pertinent questions raise the need for citizens to place extra demand for performance on this set of FLEX in the Tinubu administration, which has been profiled in this QPR. Just like it has established a system of performance appraisals for members of the National Assembly in the last few years, OrderPaper should now take the necessary step to stimulate the stewardship tracking of ambassadors of the Parliament in the Executive, including those who are now State Governors. This will be a cogent step to demand service delivery and accountability from FLEXes elected and appointed into Government. To him, much is given, and much is expected.

**Dr. Dakuku Peterside**

*(Author/Columnist)*

*Former Member of the House of Representatives and Ex DG/ CEO, NIMASA*

# Appendix:

## Composition of Questions asked on the Questionnaires on Public Perception

1. **Bio Data- Name, Age, Occupation**
2. **Appointment of Legislators into Executive Positions:**
  - Question (a) explored whether elected representatives should be eligible for appointment to executive positions while still serving their terms.
  - Question (b) examined perceptions regarding the accountability and transparency of appointing elected representatives to executive roles.
3. **Public Input:**
  - Question (a) considered whether the public should have a role or be involved in appointing elected representatives to executive positions.
  - Question (b) addressed the potential cessation of appointing elected representatives into executive roles due to the high costs of organising byelections to fill vacancies.
4. **Term Limits and Restrictions:**
  - Question (a) inquired about opinions on limiting the number of executive positions a former elected representative can hold.
  - Question (b) explored perspectives on instituting waiting periods before an elected representative can be appointed to an executive position after the conclusion of their term.



**D**elve into Nigeria's leadership landscape from a perspective hitherto unexplored. **OrderPaper's** latest Quarterly Policy Review (QPR), titled FLEX (From the Legislature to the Executive), is a captivating inroad into the dynamics of Nigeria's leadership recruitment pipeline and implications for governance.

This FLEX edition of the QPR meticulously examines the intricate relationship between the legislative and executive branches of government. It follows the journey of political actors who have moved from the hallowed chambers of parliament to the corridors of executive power, traversing a path fraught with both promises and problems for Nigeria's democratic growth and development.

With a riveting foreword and postscript by Rt. Hon. Samson R. Osagie, PhD and Dr. Dakuku Peterside, respectively, readers are led to unravel the tapestry of Nigeria's governance architecture. This pioneer work is sure to ignite flames of debate and inquiry into the FLEX phenomenon of Nigeria's presidential democracy.

Meanwhile, you are invited to scan the code below to read other exclusive and fascinating knowledge products from the stable of **OrderPaper**, Nigeria's foremost parliamentary monitoring organisation and public policy think tank.



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