

Leadership Crisis in the Parliament of Nigeria

The Case of the Senate in the Fourth Republic

A Banjo¹

University of Zululand

ABSTRACT

The article explores the political dynamics that explain the rapidity of the impeachment processes and resignation of Nigeria's Senate presidents in the Fourth Republic. By means of narrative analysis and utilising content-analysis of primary and secondary sources, gathered from fieldwork in Lagos and Abuja, the article captures the crisis-ridden character of the Nigerian Senate from 1999 to 2007. This article probes the elements of corruption, intra-elite struggle and the dimensions of legislative-executive conflict in the determination of the internal power struggle and leadership instability within the Nigerian Senate (1999–2007) and concludes with the need to address the problem of poor representation in Parliament.

INTRODUCTION

With reference to African experience, at the time of independence, African states, with few exceptions, were graced with all the paraphernalia of liberal democracy: written constitutions, multi-parties, separation of power, and so on. However, the foundations of democracy were extremely weak. Not only had the colonial state itself embedded traditions of political authoritarianism, but (Lipset:1963) (Rustow:1970) (Sorenson:1993), all argued that African countries had limited cultural and national homogeneity, low literacy levels, lacked a substantial middle class, and had low levels of economic developmental factors widely considered to be prerequisites for democracy. Consequently almost all the post-independence regimes made some heroic and innovative efforts to promote both development and democracy, but the overwhelming majority were to rapidly fall victim to political or military authoritarianism. Arguably this was driven by competing elites for control over state machinery (Markowitz:1977; Mohamed Salih:2001).

For Africans to break out of this vicious circle, it was suggested that liberal democracy be embraced and that African states do away with totalitarian regimes. This resulted in the



third wave of democratisation in Africa. The *Huntingtonian third wave of democratization* actually began in 1989. In Africa this was kick-started by the national conference [people's parliaments] of the *forces vives* of the nation, which assumed sovereignty and took steps to establish transitional institutions. National conferences (people's parliaments) drove incumbents from power in Niger, Congo-Brazzaville, and Madagascar; though such conferences failed to produce the same result in Gabon, Zaire [now DRC], and Togo, but without doubt transformed the rules of the political game.

However the *second revolution* or the *third wave of democratisation* was soon greeted with a great deal of reservation just about a decade later on. This is largely because the democratic process in Africa was fraught with a number of cancerous manifestations, as political institutions, especially the parliament, have turned out to be weak and unstable. As (Crawford Young: 1999) rightly observed: "Nevertheless, the euphoria that accompanied the arrival of the third wave in Africa has long since evaporated."

In the same vein even the most optimistic advocates of political liberalisation would join forces (Larry Diamond: 1999) in conceding that democracy in Africa is bound to be gradual, messy, fitful and slow, with many imperfections along the way. Furthermore Lemarchand (1992:178–85) has noted that

after raising hopes of a major political renewal, Africa's 'second wave' of democratization seems to be running out of steam. Afro-pessimism is again in fashion and many feel that the emergent trends are better captured by the bloodshed in Liberia, Somalia, and Burundi than by the few success stories represented by South Africa, Botswana, and Benin.

According to Julius Ihonvbere (Ihonvbere:1998) two prominent movements have swept the African continent since the 1950s struggle for independence, and the new social movement for political change (the *second revolution* (or the *third wave of democracy*), but both processes represent the interests of the corrupt and irresponsible African elite. On the relationship between the democratic wave, the masses and the political class Nzongola Ntalaja (1995:2) noted that,

just as it was during the struggle for independence, there is a contradiction between the deepest aspirations of the masses who constitute the rank and file of the democracy movement and the narrow class interests of its leadership.

MOTIVATION AND METHODOLOGY

With the *third wave* of democratisation, Africa's political topography has changed significantly at least in context, if not absolutely in content, and accompanying this transformation has been the flourish in parliamentary activism. As Mathisen and Tjonneland (2001:1) noted: "We have witnessed a significant institutionalisation of legislatures in new democracies in the 1990s." Scholarly interests have also expanded, especially those that relate to East and Central Europe. An example of this is Agh's (1995) work on the experiences of the first democratic parliaments in East and Central Europe. These studies have concluded that legislatures have been important in the democratisation process with consequences for the political systems.

However, arguably most studies of parliaments are still focused on the Western experience, and more particularly the experiences of just two institutions: The British House of Commons and the United States Congress (Essaiasson & Heider:2000). Few studies of parliaments in developing countries of the global South are available. An important example of this is the *Parliaments in Asia* (Norton & Ahmed:1999). In particular, studies of parliaments in Sub-Saharan Africa, can simply be described as very scanty. Again most of these few works are in fact focused on South and Southern Africa. Some of these include works by; Burnell (2003), Geisler (2000), Krafchick and Weiner (1998), Calland (1997, 1999) and Kotze (1996). Others include works by Ankama (1996), Suttner (1995, 1996), Zin Zindhoue (1994), Mathur (1991), Meinhardt (1990) and Adar and Nkosi (2004).

The foregoing anecdotal evidence seems to suggest that, the *messy and imperfect nature* of post-third wave African democracy has become manifest in most of the African parliaments. Arguably, post-cold war African parliaments are generally regarded as weak, corrupt, and adding little value to the process of good governance at least for now. Furthermore African parliaments have been dubbed as official houses of intrigues, bases for intra-elite conflict and centres of scandals. The post-Gnassingbe Eyadema constitutional crisis in Togo in February 2005 has been cited as a case in point.

The central objective of this article is to capture the crisis-ridden character of the Nigerian Senate from 1999 to 2007. This is amplified by probing the elements of corruption, intra-elite struggle and the dimensions of legislative-executive conflict in the determination of internal power struggle and leadership instability within the Nigerian Senate from 1999 to 2007.

This is in congruence with Ake's (1993, 1991a, 1991b) insight when he stated that "now that the euphoria over the so-called 'second revolution'; or the 'third wave of democracy' in Africa is dying, we are beginning to see a more cautious or nuanced examination and interpretations of the dynamics and patterns of politics in the continent". Nigeria's experience with leadership crisis in the National Assembly, especially in the Senate, will be the focus of this study, and be presented by means of a descriptive approach and content-analysis of primary and secondary sources extracted from documents accessed during a research fieldwork in Abuja and Lagos (Nigeria). The sources include books, journal articles, monographs, occasional papers, bulletin, magazines, newspapers, newsletters, as well as encyclopedias and yearbooks. It is against this background that the following section sets out the historical context of parliamentary development in Nigeria, from 1960 to 1999.

PARLIAMENT IN NIGERIA: 1960–1999

At the time of independence Nigeria chose to experiment with the Westminster model of parliamentary democracy on the national level. This is not unconnected with Max Beloff's assumption (Belof 1966:1) that

parliamentary government-whether of the strictly parliamentary or of the presidential variety-is the essential element in civilized government. Furthermore unless there is a forum where the public issues of the time could be ventilated and debated in freedom by the chosen representatives of the people, nothing effective could be done.



The First Republic (1960–1966) was however brought to an abrupt end by a successful military *coup d'état* on 15 January 1966. After the end of military rule on 30 September 1979 Nigeria abandoned the Westminster model and opted for the American presidential system of government, but called its Parliament, the National Assembly and not Congress.

Thus, for 12 years, 1966 to 1979, Nigerians had no popularly elected Parliament. This was the case until the 1979 Constitution provided for yet another bicameral legislature comprising a 450-member House of Representatives and a 95-member Senate, both jointly referred as the National Assembly. Again the Parliament became the first casualty of the ambition of a group of military adventurists, as it was dissolved on 31 December 1983 by the Buhari-Idiagbon-led junta. The 20-month reign of terror of the Buhari-Idiagbon administration was again toppled in a palace coup by the General Ibrahim Badamosi Babangida-led junta on 27 August, 1985. General Babangida introduced a 17-member Political Bureau (Politburo) on 13 January 1986 and another 46-man Constitutional Review Committee (CRC) on 7 September 1987 was saddled with the responsibility of utilising the report of the Political Bureau as a basis for the review of both the 1963 and 1979 constitution. A 452-member Constituent Assembly (CA), was latter constituted on 11 May 1988 to merely consider the work of the CRC. The General Babangida-led Armed Forces Ruling Council (AFRC) tinkered with the report before the promulgation of the 1989 Constitution. The Constitution again provided for the creation of yet another bicameral legislature. But the script for the crisis of the Third Republic climaxed in the annulment of the 12 June presidential election. Thus Parliament was badly polarised amongst those in support of General Babangida's self-succession agenda and those against it. General Babangida's successor General Sani Abacha would have no place for the Parliament and had to dissolve the National Assembly. Nigeria was again deprived of a parliament for six years from 1993 to 1999 when civil democratic rule was restored to the country, as soon as General Abacha's successor, General Abdulsalaam Abubakar signed into law the 1999 Constitution (*The Guardian* 16 May 2005).

Resulting from the foregoing the overwhelming and prolonged presence of soldiers and their leading role in the politics and life of Nigerians have inevitably bequeathed to the country an almost permanent heritage of executive aggrandisement and a culture of legislative peripheralisation and subordination to the executive wing of government. Nevertheless the 1999 Constitution again provides for a bicameral legislature. On the strength of the Chapter 5 of the 1999 Constitution, the federal legislature was made up of two houses that sit in separate chambers, the Federal House of Representatives and the Senate. The House is made up of 360 members elected from 360 Federal Constituencies nationwide. It is headed by the Speaker of the House who is fourth in the hierarchical order of the Federal System of Government. As in the Senate, he has a deputy and a Clerk of the House. Members of both houses are elected for a term of four years. The Fourth Republic Nigerian Senate was made up of 109 members representing 109 Senatorial districts across the country.

CRISIS IN THE SENATE OF THE FOURTH REPUBLIC – THE BACKDROP

Etymologically, the word *Senate* is traceable to the name given to the supreme council of Ancient Rome and is derived from *Senatus* which means council of elders. The senate from

the period of the Roman Senate, with its aristocratic colouration, up to the sophisticated days of the U.S Senate, and now to the trying days of the Nigerian Senate, has been identified by high stake intrigues. With specific reference to the crisis at the leadership level of the Nigerian National Assembly, the Senate in particular is as old as the institution itself in Nigeria. But the scale of intra-senate tension in the Fourth Republic cannot be compared with any in the history of Nigerian Senate. Because for six years of the Nigeria's First Republic (1960–1966), Nigeria had two Senate Presidents, Dr. Nnamdi Azikiwe and Chief Nwafor Orizu. Orizu succeeded Azikiwe when the latter moved on to become the nation's ceremonial President. During the Second Republic (1979–1983), only Bassange/Obudu born and Aston/Birmingham trained Dr. Joseph Wayas presided over the nation's highest law-making chamber. Even the aborted Third Republic had only two Senate Presidents, Senator (Dr) Iyorchia Ayu and Senator Ameh Ebuta.

The Senate leadership crisis in the Fourth Republic actually commenced when the need arose for the ruling Peoples Democratic Party (PDP) as was in the case with the National Party of Nigeria (NPN) in 1979, to come up with an acceptable *zoning formula* for the country. The party [PDP] therefore decided to zone its elective positions between the six geo-political zones. In the zoning formula that was to emerge, the *South-west* took the presidency; the hierarchy of the party zoned the Vice President slot to the *North-east* and Senate Presidency to the *South-east*; the Speaker to the *North-west*, Deputy Speaker to the *South-south* zone. Thus as soon as it became apparent that the Senate Presidency had been zoned to the South-east, intense underground campaigns commenced within the Senators-elect and amongst political stakeholders from the zone.

The struggle for the Senate presidency was laid to rest on 3 June 1999 following the election of Chief Evan Enwerem, who defeated Dr. Chuba Okadigbo, by 64 votes to 41 (*Nigeria Tribune*, 4 June 1999). The victory of Enwerem arguably served as the foundation of an intense intra-party/group struggle for the soul of the Senate, as well as the root of the problem of the Nigerian Senate of the Fourth Republic, as it relates to the politics of impeachment of the Senate Presidents as discussed in the next section of this article.

SENATE OF THE FOURTH REPUBLIC AND THE POLITICS OF IMPEACHMENT

In established liberal democracies it is the norm that heads of political institutions, the (parliament/legislature inclusive) exit the office, either because they have reached a constitutional limit to their tenure, or for personal or political reasons (such as loss of health or party support), or because they have lost an election (Roger Southhall, Neo Simutyane & John Daniel:2005:1). Nevertheless the right to *impeach* public officials is also entrenched in most developed democracies. For example there have been at least two cases of impeachment in Britain. The first was Warren Hastings who was impeached in 1786 after alleged misgovernment in India, and Lord Melville who was impeached in 1896 for corruption in the use of public funds (*Vanguard* 10 November, 2002). In the United States (U.S) impeachment is secured by Article 1, section 2 and 3 of the Constitution, which discusses the procedure, and Article 11, section 4, which indicates the grounds for impeachment. It is also on record as found on the web (<http://print.infoplease.com/ipa>) that,



“since 1797 the House of Representatives has impeached sixteen federal officials...these include two presidents, a cabinet member, a senator, a justice of the Supreme Court, and eleven federal judges.”

At this juncture it has become necessary to note that the politics of impeachment are not new in Nigeria. This is with reference to the impeachment of Governor Balarabe Musa of Kano State in the Second Republic (1979–1983). But in post-1999 politics the impeachment/resignation of Alhaji Salisu Buhari, erstwhile Speaker of the Federal House of Representatives in 1999, opened the floodgate of impeachment which eventually extends from local councillors to Senators. As Jide Ajani, a political editor (*Vanguard* 29 May 2003:3) rightly observed

perhaps, if there was one thing the Nigerian legislators took seriously in the first one year (of the Fourth Republic) it was the case of impeachment or removal from office. That was one area where the constitutional provision was given accommodation with unbridled tempest...

Following the Salisu Buhari's case, a number of speakers of Houses of Assembly across the country were also removed from office through impeachment. These accusations or reasons for impeachment ranged from high-handedness, nepotism, autocracy and despotism. Other reasons include favouritism, embezzlement of public funds/lack of probity, subservience to the executive arm of government and insubordination. However, in most cases, the real complaint was the pandering of the speakers to the Executive (Governor's) wishes and demands. Examples of crisis *vis-a-vis* impeachment, forced resignations and replacement of State Assembly speakers' cuts across the country, from Delta to Kebbi, Enugu, Oyo, Edo, Kano, Sokoto and Lagos States. On the governorship level victims of impeachment included the governors of Bayelsa and Oyo states. The focus in the rest of the article is the politics of impeachment and forced resignations of the Senate Presidents between 1999 and 2007.

Impeachment of Evan(s) Enwerem

Perhaps, given the circumstances of the emergence of Chief Evan Enwerem as the Senate President, and the scandal that rocked his tenure, the Nigerian Senate of the Fourth Republic lost the earliest opportunity to carve a transparent image for itself. Rather, observers soon perceived them as contractors parading as Senators. Yet the first Senate in the Fourth Republic was peopled by men and women, most of whom had distinguished themselves in their respective fields of human endeavours and possessed enough armouries of life experience to enable them to perform. In fact, according to Anyim Pius Anyim, the first Senate of the Fourth Republic consisted of:

eight former ministers; four ex-governors and a former deputy governor; six former permanent secretaries; director-general of parastatals; 28 former parliamentarians, and three professors; 14 doctorate holders, 24 master's degree holders and 22 bachelor's degree holders. We also have amongst us twenty lawyers, two former vice-chancellors, five medical doctors, twenty eight accomplished businessmen, thirteen former commissioners, two pilots and three retired [military] generals' (This Day-Sunday Newspaper, 20 May 2001:11).

Senator Evan[s] Enwerem was one of the former governors (Imo state). He arrived at the Senate as a candidate for the presidency. True to the speculations the presidency mobilised senators from the opposing All Nigeria Peoples Party (ANPP) and Alliance for Democracy (AD) to defeat some PDP elements that were out to truncate Enwerem's candidacy. However shortly after his enthronement, anti-presidency forces coalesced against Enwerem's style of leadership. To many, he was uncharismatic, lacklustre and without direction. It was not too long before these forces rallied to impeach him. Enwerem's fall from grace started in July 1999, when an edition of *Tell Magazine*, entitled: "Enwerem in Trouble" pointed out his alleged 'criminal record'. In his reaction Enwerem described the publication as a 'wicked fabrication'. He argued that *Tell's* account was "baseless, malicious, unfounded, defamatory (and) a wicked fabrication and a calculated attempt to tarnish his reputation" (*The Guardian* 10 September 1999).

Developments took a turn for the worse when the Federal House of Representatives commenced a boycott of all joint-sessions insisting not to return until Enwerem was removed. On the motion proper at the Senate Chamber, Senator Nzeribe wanted Chief Enwerem impeached on four grounds as follows: (i) That the executive arm of government...has developed undemocratic and dictatorial tendencies due to the subversion of the legislature which is not independent, lacks confidence, drive and enterprise (ii) That the progress and existence of the country's nascent democratic dispensation is hereby endangered by events which eroded the moral authority of the Senate. This is with reference to the *Tell Magazine* report and aftermath, including unanswered three vital questions viz (a) The school attended by the Senate President, (b) the basic qualification with which he gained admission to higher law studies which had allegedly not been established all through the saga and (iii) that of the actual age of the Senate President (iv) That there is a need to determine Enwerem's position because the Senate now lacks the moral authority and capacity as demonstrated by events in the first 100 days of the Senate, to stand up to the executive arm of government, defend and promote the interest of the legislature in Nigeria (*The Guardian on Sunday* 16 October 1999:2)

Senator Nzeribe called on Evan Enwerem to "voluntarily resign his seat or in the alternative (that) the Senate pass a vote of no confidence in the Senate President and therefore remove him from the office in accordance with the provision of the constitution of the Federal Republic of Nigeria section 50(2). This act is without prejudice but purely in the interest of the Senate, the republic and democracy" (*The Guardian on Sunday* 16 October 1999:2).

Following Senator Nzeribe's motion, on November 18, 1999, in an overwhelming vote of 92 to 2, Senators voted to impeach him from the office he had occupied for barely six months. Thus Enwerem was brought down on account of doubtful claims on age and educational testimonials. Put differently, some Nigerians interviewed opined that

under Enwerem, nothing meaningful was achieved, rather the psyche of Nigerians were being daily assaulted by allegations of age falsification and attendance of a non-existent school, apart from claims of identity crises between an Evan and a mythic Evans' (Personal Interview: Abuja: 2006).

No doubt the job of legislation suffered greatly, during this period, as the Senate invested much of its energy in defending its integrity against the onslaught of Nigerians who were



benumbed by events in the National Assembly. Thus, in all before the exit of Enwerem on November 18, 1999, the number of Bills presented to the Senate was only 16, while the numbers of motions were 16 as well.

Impeachment of Senator (Dr) Chuba Okadigbo

Dr Chuba Okadigbo was elected Senate President after the impeachment of Senator Evans Enwerem. To all perceptible observers, the period of his tenure from November 18, 1999 to August 8, 2000, witnessed a revivalism and attempt to give the Senate a focus. A colourful politician, he tried to give direction and some panache to the otherwise colourless Senate leadership. His colleagues would for the first time hold their heads high since they had a good leader with presence of mind and the requisite intellectual capacity needed for the office. Under Okadigbo more than 40 bills were presented to the Senate within the space of nine months he was in charge. Yet the Nigerian Senate still has to produce another Senate President whose tenure would match the level of controversy that trailed Okadigbo's (*The Guardian on Sunday* 10 June 2001:7).

Dr Chuba Okadigbo's style of leadership, arrogance and *know-it-all attitude* towards even his colleagues who had helped him to power, brought about a certain level of apathy and alienation within his camp, which the Executive arm of government/the presidency exploited. This has been attributed to an obsession with his strong academic and political pedigree. In addition to his training in some of Euro–American's prestigious institutions, Senator Okadigbo was also at various times a Professor of Political Philosophy. But despite his intellectual and political profile, Okadigbo spent more time staving off attempts to impeach him than he concentrated on his legislative assignment. The anti-Okadigbo group complained about the public disdain inflicted upon the upper house arising from the delay in the passage of the 2000 Appropriation Bill as an instance of arrogance. He was informed that 'the Senate is not a place where somebody can be a teacher or headmaster no matter how much educated you are (*Sunday Tribune* 5 May 2001:30–31).

But the more he attacked, the more his camp depleted, until he finally stepped on the toes of the multilateral institutions, especially the International Monetary Fund (IMF) whose boss, Okadigbo described in a television interview as *my academic inferior*. Content analysis of the media reports on this episode indicated that this statement did not go down well with the executive arm of government, hence the concerted effort to have him ousted. His survival strategies worked for some time until June 2000, when Senator Arthur Nzeribe, then an opposition Senator representing Orlu Senatorial zone, published an epistle on President Olusegun Obasanjo's constitutional breaches, and for Dr Okadigbo allowing the motion to be moved on the floor of the House, the Senate President was accused of collaboration. The event became one of the precursors to his impeachment. It was also during these heady days that the police shunned Dr Okadigbo's immunity and raided his house in search of the Senate mace. This followed a complaint by some Senators that Okadigbo had spirited the mace away to Ogbunike-his country home to forestall the rumoured moves to impeach him. When that failed, fresh allegations of financial wrongdoing bordering on the issuance of anticipated approvals for contracts he awarded, in lieu of expected funds from the presidency were brought against him and some principal officers.

In his bid to prove his innocence, he set up the Senator Idris Kuta's panel, which was mandated to investigate the contract awards. Specifically the allegations against Senator (Dr) Okadigbo included (i) Inflation of electrification contracts from a 55 million naira estimated to over 150 million naira; (ii) disregard of the tendering process, and favouritism of interested cronies in the award of contracts; (iii) award of contracts to unregistered companies (iv) recklessness in expenditure particularly with respect to expenses on Christian and Muslim festivals and (v) lack of proper recording of physical properties by Senate officials, when coming in or going out office (*The Guardian on Sunday* 10 June 2001:7).

In the course of investigating these allegations many truly worrisome revelations were brought to the knowledge of both Senator Idris Kuta Panel and the Nigerian public. On the basis of these revelations, the panel, on August 1, 2000, submitted a report that severally indicted Dr Chuba Okadigbo, his Deputy Alhaji Haruna Abubakar and a few others, and thus called on them to resign their position (*The Guardian on Sunday* 6 May 2001:11). Even when the senators had noted the need to impeach him, Okadigbo insisted he could not be stampeded out of office. However consequent to the adoption of Kuta's report and its recommendations on August 10, 2000, Dr Okadigbo and his deputy, Alhaji Haruna Abubakar were both removed from office.

Senator Anyim Pius Anyim: Impeachment Threat and Politics of Survival

Few people gave Senator Anyim Pius Anyim who was born on the 19th February 1961 in Amagu/Ishiagu, Ivo Local Government Area (LGA) of Ebonyi State any chance, when he first announced his presence on the political scene. More so that, of all the Senate Presidents Nigeria has ever had, Anyim was the youngest and probably the least experienced. After his graduation from Imo State University (1983–87) and Institute of Advanced Legal Studies, Lagos (1991) and a brief working stint with the National Commission for Refugees, Abuja (1992–97), he entered politics and was elected Senator on the platform of the Peoples Democratic Party in 1999 (Makinde: 2001).

Senator Anyim Pius Anyim, who represented Ebonyi South Senatorial District, emerged as a consensus candidate between the Senate and the Presidency. Anyim assumed the mantle of leadership of Senate and by extension the National Assembly, against the background of a polarised Senate, weighed down by factions and personality cult. As one of the arrowheads in the plot against Enwerem and a major player in the fall of Okadigbo, he came from a background of one who understood the shortcomings of his two predecessors. With limited experience as noted earlier, Anyim moved with caution and tried to toe the middle course of carrying both the Senate and the Presidency along. But as Anyim got steeped in the aroma of power, he began to de-emphasise those nuances and niceties that endeared him to his colleagues. Nevertheless, the defining characteristic of the tenure of Chief Anyim Pius Anyim as Senate President was the apathy which his emergence engendered among Senators. In the early part of his tenure, the Senate hardly formed a quorum. In most cases, the few Senators who arrived in the chamber, would wait for hours before a quorum of 35 Senators could be formed. The explanation given by senators for literally shunning attendance of a Senate plenary session was the absence of quality debate and the alleged inexperience of the presiding officer. However, Anyim's explanation of the near-absence of senators at a



plenary sitting was that they were busy at committee level, even though committee meetings were generally fixed in such a way that they did not clash with the period of sitting (Personal Interview:Abuja:2005).

Another defining character of the Anyim leadership was the pandering to the interest of the executive/presidency, a situation that had once or twice drawn the ire of senators. The real test to determine how well he understood the balancing act in politics, came a few months after he had ascended to power in 2001, during the Electoral Act controversy. Anyim would later confess that the Electoral Act Controversy that erupted in the early days of his tenure rattled him (Personal Interview:Abuja:2005). While the controversy lasted, his colleagues accused his leadership of colluding with both the presidency and the Association of Local Government of Nigeria (ALGON) to insert some extraneous clauses into the bill even after it had been passed.

Another hurdle came when a fresh attempt to impeach President Olusegun Obasanjo began officially on Tuesday, 13 August, 2002. The House had passed a motion on the *State of the Nation* and gave the President a two-week ultimatum to either resign from office or face impeachment proceedings. In the Senate Senator Idris Abubakar moved a similar motion accusing the President of non-implementation of previous Appropriation acts as passed by the National Assembly. The presidency was distraught and considered it unthinkable that Senator Anyim would allow such a motion to be moved at all on the floor of the upper house. There was no doubt at this point that the battle line between Anyim and the presidency had been drawn. Senator Arthur Nzeribe, who had by this time decamped from the All Nigeria Peoples Party (ANPP) to the ruling Peoples Democratic Party (PDP), opted to pick up the challenge of removing Anyim. He kicked off a controversy alleging that N300 million had been shared among senators to get them to drop the impeachment proceedings against Obasanjo. Nzeribe who claimed to have co-ordinated the sharing of the money, alleged that Anyim had collected N60 million. At the thick of the N300 million scandals, Nzeribe claimed he had collected about 82 signatures of his colleagues to impeach Senator Anyim. Nigerians who were expectant and were looking forward to another Senate president's fall were surprised that Anyim, like a cat with nine lives, had survived.

Senate President Anyim vs Senator Nzeribe

Senator Anyim did not only survive the Nzeribe impeachment plot, he swiftly suspended his *Achilles heel*, (Senator Nzeribe) from the Senate indefinitely. Arthur Nzeribe did not return to the Senate until the end of Anyim's tenure. The seemingly unanimous decision of the Senate to *suspend indefinitely* the controversial politician mainly on the basis of defrauding the Senate to the tune of N22 082 million naira was the high point of the display of Senate President's (Anyim) unwillingness to accommodate no longer what he perceived as the Nzeribe's nuisance (*Vanguard*, 26 October 2002:9). In a counteroffensive, Senator Nzeribe fired broadsides at his traducers by describing the suspension as "childish, and as infantile as the man that conceived the idea". He contested the accusation of fraud against him as a ruse, designed to checkmate him from bringing to the floor of the house the impeachment against Anyim which he claimed 82 Senators had ratified. The confrontation between Senator Anyim and Senator Nzeribe assumed another dimension when the accused senator opened up on his own side of the story. He confirmed that the N22,8 million were Committee votes and expenditures, all approved by the Senate president, backed by files/documents showing

Anyim's approval and other processing documents. The suggestion of possible forgery was ruled out when files and documents inside turned out to be original with the Director of Finance and Anyim's approval attached (*Sunday Tribune* 3 November 2002:30).

In fact the hesitation of the Senate President to report Nzeribe to the police was also seen as evidence that the issue might just be a way to politically exclude an *enfant terrible*. To give credence to this development as more of a political than a criminal charge, Nzeribe's accusers actually confessed that allegations of financial fraud and forgeries were not the only plank on which Nzeribe was slammed. According to Senator Zwingina who initiated the motion, which was seconded by Senator David Oyoyo (Edo North)

the activities of Nzeribe had become manifest that the essential character of Senator Nzeribe has been deeply persistent discomfort with democracy...and such discomfort has been exhibited by a consistent history of plotting, uprooting and destroying democratic institutions and elected public officials (Weekend Vanguard, 26 October 2002).

The senators were reported to have pointed specifically to Nzeribe's roles in the annulment of 12 June 1993 presidential election in Nigeria and the removal of Senators Enwerem and Senator Chuba Okadigbo as senate presidents. But to some this was to become a defining style of Senate President Pius Anyim in dealing with his political enemies. This was to reflect the latter in the way and manner Anyim handled some other Senators that did not think it risky to contest his leadership and management style of the Senate and by extension the National Assembly.

Pre-empting Impeachment: The Resignation of Adolphus Wabara

A brief profile by Makinde (2001) presents Wabara, Nduneveh Adolphus as a businessman, a politician who hails from Abia State where he was born in June 1948. After Wabara's tertiary education at Kiev State University, Kiev, Ukraine in the former Soviet Union, he went into business after which he became an active politician. He thereafter became the Chairman, Ukwu East Local Government Area (1996–1998). In 1999 he was elected Senator of the Federal Republic of Nigeria, representing Abia South Constituency. In the previous senate (1999–2003), Wabara's name had featured in almost all the speculations of a possible successor to the Senate presidency. However he could not garner enough clout to ascend the throne and so he bided his time. Senator Nwabara's moment came in the second stanza of the Obasanjo's dispensation when he won a controversial senatorial election over his ANPP rival, Elder Dan Imo, in an Abuja High Court presided over by Justice Wilson Egbo-Egbo. The 2003–2007 Senate's inauguration had to wait until the hurdles that confronted Wabara from returning to the Senate were cleared by the presidency. He eventually emerged as the fourth Senate President in the post-1999 democratic dispensation. Wabara had to beat off the challenges from Senator Arthur Nzeribe, who had done everything within his power to secure the job, but failed, and Senator Ifeanyi Ararume who never hid his ambition to lead the Senate too. Eventually, when Wabara emerged unchallenged he was dogged by the claims of obtaining a '*black market*' court order to win office.

Subsequent development showed Wabara might have made credible claims on how he became the Senate president; his public carriage however, shows his overarching desire not



to rock the boat. According to Paul Odili (*Vanguard* 12 April 2004:32), one principal reason accounted for this option. This was the way he re-emerged in the Senate and emerged as Senate President. The politics of his pyrrhic victory at the poll and the court kept Wabara naturally insecure. Unlike former Senate President, Dr Chuba Okadigbo who had charisma and natural constituency to appeal to if he failed to get his way with the executive, Wabara in mortal fear of losing his position, was determined to please the executive at all costs to remain in office. The consequence of this attitude was a diminution of the office of the Senate President. Indeed, a parallel could be drawn between Wabara and Enwerem. They both interpreted their mandate to mean pandering to the wish of the executive. Given the circumstances under which Senator Wabara emerged, many had thought that Wabara would have the frame of mind to take a deep reflection and evolve an approach which would be devoid of controversy. This thinking was based on the calculation that as a second-time senator, Wabara possessed the experience that could move the Senate on the path of peace and stability, but it was only a matter of time before it came to this: a bitter quarrel over money. The N54m scandal did the first damage to Wabara, thereafter there was a N55million scandal.

Wabara's Senate and the N54m Scandal

And so living true to character the Senate of the Fourth Republic, the Senate once again got enmeshed in a cacophonous uproar over monetary inducements among its members. It was described as a maiden scandal when it busted open in September 2003. The Minister of Federal Capital Territory (FCT), Mallam Nasir el-Rufai, was reported (*Daily Champion* 23 September 2003) to have alleged that some Senators demanded the sum of N54m from him during the screening of ministerial nominees. He was quoted as saying that the senators hinged their demand on the fact that he had made a large sum of money from the Bureau of Public Enterprise (BPE) as its Director-General.

Some noble senators were enraged at yet another bribery allegation, Senator Isa Mohammed noted that definitely something went under the table and that the issue must be brought up for all of to observe, because prior to the accusation, there were rumours that some principal officers demanded money before clearing and confirming ministers and they were cornered somewhere. "Let those dishonourable principal officers who I am sure know themselves by now resign...because nobody mandated them to ask for money on behalf of the Senate" (*ThisDay* 30 September 2003:11). The Minister thereafter accused the Deputy Senate President, senators Ibrahim Mantu and Jonathan Zwingina as two principal officers that demanded a N54m bribe from him to facilitate his clearance. The Senate quickly responded by instituting a committee headed by Senator Olorunnimbe Adeleke Mamora (Lagos East) to investigate the allegations (*The Guardian* 13 October 2003:15). Following the N54m bribery saga, the mood of the Senate towards its leadership started to change, more so that prior to this event the Senate President, Adolphus Wabara had declared publicly that he has discovered where Dr Chuba Okadigbo hid his proverbial banana peel and will be careful enough not to slip on it (*ThisDay* 30 September 2003:11). As someone who was close to the leadership of the Senate in the previous dispensation, this statement was not considered an empty boast. But with the N54m scandal involving his principal officers, that was the undeniable indication that the night of the long knives was gradually returning in relation to Wabara's Senate Presidency, and before long, he met his Waterloo in another scandal.

The 55 million Scandal and The Fall of Wabara

Based on the support he enjoyed from the Presidency his leadership enjoyed relative stability. Almost two years after his emergence as the Senate President, Wabara lost his grip on the Senate presidency and as he battled for his political future following an allegation of bribery which entangled him, some of his colleagues and the Minister of Education, Prof. Fabian Osuji. Senator Wabara met his Waterloo when the Economic and Financial Crimes Commission (EFCC) indicted him and some members of the Senate and House of Representatives for allegedly accepting bribes from the then Minister for Education to inflate the education ministry's budget and fast-tracking the approval processes at the National Assembly (*Thisday* 9 May 2005).

The N55 million bribery-scandal prompted a nationwide broadcast by the President (Olusegun Obasanjo) and narrated how his education minister had sourced N 55 million (US \$410,000) from government coffers, which he shared among senator Wabara, five other senators and a member of the lower house of Parliament. In the broadcast reproduced by the *Comet Newspaper* (*The Comet* 23 March, 2005:2) he lamented the involvement of the number three man in his government hierarchy in the country in such a sordid matter. The President however saluted the men and women who were not part of the shady N55m deals in the Senate. He expressed his wish to have them in sufficient critical mass to make the National Assembly a haven of probity, transparency, honesty, patriotism and accountability.

Though at different turns, Wabara denied the allegations, and was plotting strategy for survival. But as the indictment was beginning to have a general effect on the entire Senate, his colleagues reached an agreement that he should resign, and not wait until impeached.

Perspectives on Wabara's Senate Presidency

Senator Adolphus Wabara scored very well in his effort at ensuring cordial legislative-executive relations. Wabara himself acknowledged this achievement when he wrote;

In the dispensation of my duties as President of the Senate...we have collectively and individually always put the interest of the nation first and above all else...the guiding light of that principle is to ensure interdependence of the three arms of government...I eschew the principle of absolutism of the three arms of government and remain a disciple of dialogue to which I remain committed...

In his message to those who persistently queried this posture as a stooge of the executive he insisted that, 'antagonism and absolutism serves no purpose but to heat up the polity, brew dichotomy of the polity and steer us in the path of chaos, destruction and brinkmanship'. In terms of how this approach relates to democratic consolidation in Nigeria, Wabara noted 'this has made the enhancement of democracy, capacity building and general wellbeing of the people possible'

His critics noted that the fact that he did not accept any wrong doing, via self-justification was considered a minus. This is because, in his resignation letter to the Clerk of the National Assembly, he referred to *certain allegations* which touched upon the integrity of the National Assembly, his person, and a few others. He only announced that it was his wish alone to voluntarily step down, to preserve the sanctity of the office and to attend to those allegations made against his person.



According to a public affairs commentator, Joseph Ushigiale, Senator Wabara's fate, like others before him, was self-inflicted. If he was a cautious Senate President who lived up to his boast of already possessing foreknowledge of where the proverbial banana peel is hidden. The lesson from the first N54 million Senate scandals would have served him well. Again he failed to heed the ominous warning, even when a group of 80 Senators led by Senator David Mark moved against him, but the presidency came to his rescue. Perhaps it was these narrow escapes that led him into the delusion that he had also perfected the act of living a cat's multiple lifestyles. However, Wabara who was forced to resign on the 5th of April 2005, according to the PDP hierarchy, left the Senate presidency in a blaze of controversy and was replaced by Senator Ken Nnamani who, as usual, also promised to 'discharge his responsibilities and to be guided by the principles of fairness, equity and justice'. He indeed discharged his duties to the best of his ability until his tenure expired on 29 May 2007.

CONCLUSION

The Fourth Senate of the Federal Republic of Nigeria was no doubt born into crisis, given the historical circumstances of its birth. It was proven in this descriptive analysis that the upper house of the Nigerian National Parliament that sat from 3 June 1999 to 29 May 2007 produced financial scandals as well as a leadership crisis as its major defining attribute. In conclusion it is submitted that whenever the history and politics of the Nigeria's Fourth Republic are examined/re-examined, the Senate will face a rather critical review for some unparliamentary attributes. This has been the consequence of an intra-elite struggle over resources, within the National Assembly and national politics as a whole. This singular factor has no doubt weakened the capacity of the Nigerian people's representatives in the Upper House to impact positively on the governing process from 3 June 1999 to 29 May 2007. Finally the problem of poor representation by the parliamentarian has become a central issue and a growing headache in African politics and public life and must be tackled as a major problem, or else it becomes a permanent legacy. The hidden cost is unthinkable if the institutions that should serve as bridge between the state and the citizens are made up of people who by means of greed seek only to undercut people's hopes and aspirations.

NOTES

1. Adewale Banjo; a former UNESCO Fellow, Fulbright and George Soros/CEU Fellow is an Associate Professor in the Department of Political Science and Public Administration at the University of Zululand, KZN, South Africa.

REFERENCES

- Agh, A. 1995. The Experiences of the First Democratic Parliaments in East Central Europe. *Communist and Post-Communist Studies*, 28(2):203–214.
- Ake, Claude. 1991a. As Africa Democratizes. *Africa Forum*, 1(2):13–16.

- Ake, Claude. 1991b. Rethinking African Democracy. *Journal of Democracy*, 2(1):32–44.
- Ake, Claude. 1993. Is Africa Democratising? The 1993 Annual *Guardian* Lecture, Lagos, Nigeria, December .
- Ankama, S.K. 1996. *The Westminster Model in Africa and a search for Democracy*, Silkan: London.
- Beloff, Max. 1966. The Crisis in Parliamentary Democracy. Johannesburg: South African Institute of Race Relations.
- Burnell, Peter. 2003. Legislative-executive relations in Zambia: parliamentary reform on the agenda. *Journal of Contemporary African Studies*, 21(1):47–68.
- Calland, R. 1997. All Dressed Up with nowhere to go? Rapid Transformation of the South African Parliamentary Committee System. In *Comparative Theoretical Perspective*. Bellview; UWC P. 370–5.
- Calland, R. 1999. *The First 5 years. A Review of South Africa's Democratic Parliament*. Cape Town: IDASA .
- Diamond, Larry and Plattner, Marc F. (eds). 1999. *Democratization in Africa*. Baltimore: John Hopkins UP.
- Essaiasson, P. and Heidar, K. (eds). 2000. *Beyond Westminster and Congress. The Nordic Experience*. Columbus: Ohio State University Press .
- Geisler, Gisela. 2000. Parliament is another terrain of struggle: women, men and politics in South Africa. *Journal of Modern African Studies*, 38(4):605–630.
- Ihonzbere, Julius, O. 1998. Where is the third wave?: A critical evaluation of Africa's non-transition to democracy. In John Mukum Mbaku and Julius O. Ihovbere [eds.] *Multi-party democracy and political change-Constraints to Democratization in Africa*. Ashgate, Aldershot pp. 9–32.
- Kowar, Adar and Nthabiseng, Nkosi (eds.). 2004. *The State of Readiness of African Parliaments on the Eve of the Pan-African Parliament*. Pretoria: AISA.
- Krafchik, W. and Wehner, J. 1998. Economic Society of South Africa (Pretoria) 'The role of parliament in the budgetary process.' *South African Journal of Economics*, 66(4):512–541
- Kotze, Hennie. 1996. *Parliamentary Dynamics: Understanding the Political in the South African Parliament*. Stellenbosch, Center for International and Comparative Politics.
- Lipset, S.M. 1963. *Political Man*. London: Heinemann.
- Lemarchand, R. 1992. African Transitions to Democracy: An Interim (and Mostly Pessimistic) Assessment. *Africa Insight*, 22(3):178–85.
- Norton, P. and Ahmed, N. (eds.) 1999. *Parliaments in Asia*. London: Frank Cass.
- Nzongola, Ntalanja. 1995. Democratic Transition in Africa. *Newsletter of the African Association of Political Science*. (New Series No 9) June–September.
- Makinde, Bankole (ed.) 2001. *Newswatch who's who in Nigeria*. (2nd edition). Lagos: Newswatch Books.
- Mathisen, H.W. and Tjonneland. 2001. *Does parliament matter in new democracies? The case of South Africa, 1994–2000*. Bergen: CMI.
- Mathur, Hansraj. 1991. *Parliament in Mauritius*. Rose Hill: Editions de L'Oreal Indien.
- Meinhardt, Heiko. 1990. Parliamentarismus in Malawi. *Afrika Spectrum*, 25(3):313–328.
- Markowitz, I.L. 1997. *Power and Class in Africa*. Englewood Cliffs, New Jersey: Prentice Hall.
- Roger, Southall, Simutyane Neo and Daniel, John. 2005. Leadership Change and former presidents in Africa (unpublished).
- Rustow, D. 1993. Transition to Democracy: Towards a Dynamic Model. In *Comparative politics*, 2. 1970. Sorenson, *Democracy and Democratisation*. Boulder, Colorado: Westview, 1993.
- Suttner, Raymond. 1995. Parliament's role in foreign policy. *Indicator South Africa* 12(3):74–78, Winter. Durban: Univ. of Natal, CSDS, 1995.



- Suttner, Raymond. 1996. Parliament and foreign policy. *South African yearbook of international affairs*, 1996, pp. 136–143.
- Young, Crawford. 1999. Africa:an interim balance sheet-Democratisation in Africa. Diamond, Larry and Plattner, Marc F. (eds.), *Democratization in Africa*, pp. 63–79. Baltimore:Johns Hopkins UP,1999.
- Zin-Zindhoue, Abraham. 1994. *Parliamentarians and the campaign against corruption and abuse of human rights*.1994, pp. 131–133.

Internet sources

- <http://print.infoplease.com/ipa/> High crimes and misdemeanor. Short history of impeachment. Accessed 5/4/2005.
- <http://www.usafricaonline.com/nigeriasenate-scandal2005.htm>. Accessed 3 June, 2005.
- http://news.biafranigeriaworld.com/archive/guardian/2005/04/07/how_we_shared_n55m_by_senator_adighije.php.

Newspapers/Magazine[Lagos]

- Celestine Okafor-Nzeribe. The Senate Hammer. Falls-*Weekend Vanguard*, October 26, 2002, p. 9.
- Chi Nwakor. Fourth Republic Legislature: Appraising performance of the Senate. *Vanguard*, 3 April 2002.
- Felix Abugu. Anyim's Senate and quest for stable democracy. *The Guardian*, Friday, August 10, 2001.
- Joseph Ushigale. Bribery: Will Wabara step on Banana peel? *Thisday*, September 30, 2003, p. 11.
- Joseph Ushigale. Past Senate presidents: How they left office. *Thisday*, 3 April, 2005.
- Ndidi Okafor. Senate sits on el-Rufai's bribery tinder box. *Daily Champion*, September 23, 2003.
- Nkem Ndibe. Restoring Integrity to the Senate.*The Guardian on Sunday*, May 6, 2001, p. 11.
- Olawale Rasheed. More Burden for Wabara, *Thisday*, 9 May, 2005.
- Olawale Rasheed. Anyim vs Nzeribe: Who is lying? *Sunday Tribune*, 3 November 2002, p. 30.
- Pius Odiaka. A curious bill of innocence. *The Guardian*, Monday, October 13, 2003, p. 15.
- Paul Odili. The making of a Rubber stamp National Assembly. *Vanguard*, April 12, 2004, p. 32.
- Sufuyan Ojeifo. Afikuyomi sues Senate over criminal allegations probe. *Vanguard*, 14 May, 2001.
- Sufuyan Ojeifo. Afikuyomi explains why he sued Senate, Anyim. *Vanguard*, 15 May, 2001.
- Tokunbo Afikuyomi. Legislative Issues: A Critique. *The Guardian*, May 16, 2005.
- Nigerian Tribune*, 4 June 1999, p. 2.
- Sunday Tribune*, 5 May 2001, pp. 30–31.
- Saturday Tribune*, 31 August, 2002, p. 11.
- TELL Magazine*, 31 July, 1999.
- The Comet*, 23 March, 2005, p. 2.
- The Guardian on Saturday*, October 16,1999, p. 2.
- The Guardian on Sunday*, September 10, 1999.
- The Guardian on Sunday*, October 16, 1999, p. 2.
- The Guardian on Sunday*, June 10, 2001, p. 7.
- This day [Lagos]*, May20, 2001, p. 13.

This day, September 30, 2003, p. 11.

This day Sunday Newspaper, May 20, 2001, p. 11.

Vanguard Newspapers, November 10, 2002.

Vanguard, May 29, 2000, p. 3.

Vanguard, 15 May, 2001.

Weekend Vanguard, 26 October 2002.

