Article

Interrogating the Constitutional Requisites for Legislative Oversight in the Promotion of Accountability and Good Governance in South Africa and Nigeria

Insight on Africa
11(1) 38–59, 2019

DOI: 10.1177/0975087818814912
journals.sagepub.com/home/ioa

Omololu Fagbadebo[1]

Abstract

This article interrogates the effectiveness of the requisites for constitutional provisions in respect of the promotion of accountability and good governance in South Africa and Nigeria. The article notes that the drafters of the Constitutions of the two countries made sufficient provisions for the regulation and control of the executive and legislative activities in a manner that could guarantee effective service delivery. These constitutional provisions, in line with the practices of their respective governing systems of the two countries, empower the legislature to hold the executive accountable. The article discovers that the lawmakers in the two countries lacked the capacity to harness the provisions for intended purposes. Using the elite theory for its analysis, the article argues that legislative oversight in South Africa and Nigeria is not as effective as envisaged in the constitutional provisions envisaged. This weakness has given rise to the worsening governance crises in the two countries in spite of their abundant economic and human resources. The article opines that the institutional structures of the political systems of the two countries, especially the dominant party phenomenon, coupled with the personal disposition of the political elites incapacitate the effective exercise of the oversight powers of legislatures in the two countries. The article, therefore, submits that the

[1] School of Management, IT and Governance, Pietermaritzburg Campus, University of KwaZulu-Natal, Pietermaritzburg, South Africa.

Corresponding author:
Omololu Fagbadebo, School of Management, IT and Governance, Pietermaritzburg Campus, University of KwaZulu-Natal, King Edward Avenue, Scottsville, Pietermaritzburg 3209, South Africa.
E-mail: otomololu@yahoo.com

people of the two countries have to devise another means of holding their leaders accountable in the face of collaboration between the executive and the legislature to perpetuate impunity in the public space. Independent agencies should be more active in the exposure of unethical behaviours of the political elites, while the judiciary should be more independent in the dispensation of justice.

Keywords

Accountability, oversight, judiciary, impeachment, corruption, governance

Introduction

Public protests and expression of discontentment against the government have occupied the political space in Nigeria and South Africa in recent times. The economies of the two countries have not been able to stimulate the growth necessary for sustainable human development. The citizens of the two countries suffered from the consequences of governance crisis such as poverty, unemployment and security challenges, among others. Yet, they are the two leading African countries in terms of developmental strides.

The choice of these countries promises on their political and economic positions in Africa. The two countries are usually recognised as 'African giants' in terms of economic growth and development (*BBC News* 2016, *This Day* 2016, Vanguard 2016). Nigeria's GDP stood at US$296 billion as against US$521 billion in 2015, while South African's GDP was US$301 billion as against US$353 in 2015. Nevertheless, reports on the allegations of corruption and mismanagement of national resources are common occurrences in the two countries. The consequences of these negative economic reports are the manifested spate of the governance crisis that has triggered public outrages in the two countries.

This sort of malaise is common in other major African countries with abundant natural resources. For instance, in spite of its oil wealth, Angola is another African county with a pervasive governance crisis (Amundsen 2014). Indeed, it is one of the 'resource-cursed' countries, where wealth from its abundant resources has added no value in the well-being of citizens. As Amundsen (2014, 173) has noted, 'Angola has increasing poverty levels despite impressive economic growth, and any attempts at democratic transition seem blocked'. In other words, Angola's oil boom has been a curse rather than a source of development for the well-being of citizens. Drafters of the South African Constitution placed value on the need for 'accountability, responsiveness, and openness' in government (Section 1 (d), Constitution of the Republic of South Africa 1996). In other words, the people responsible for running the affairs of the state are bound to give an 'account of how assigned responsibilities are carried out' (Legislative Sector South Africa 2012, 14). The Chief Justice of South Africa, Mogoeng Mogoeng, summarised the premise of this provision thus:

> One of the crucial elements of our constitutional vision is to make a decisive break from the unchecked abuse of State power and resources that was virtually institutionalised

> during the apartheid era. To achieve this goal, we adopted accountability, the rule of law and the supremacy of the Constitution as values of our constitutional democracy. For this reason, public office-bearers ignore their constitutional obligations at their peril. This is so because constitutionalism, accountability and the rule of law constitute the sharp and mighty sword that stands ready to chop the ugly head of impunity off its stiffened neck. (2016 ZACC 11)

Indeed, the drafters of the South African Constitution made provisions for the exercise of oversight by a series of institutions with a view to ensuring transparency and accountability in governmental activities. In Sections 1 (c and d) and 2 of the Constitution, the supremacy of the Constitution and the rule of law were the foundational mechanisms designed to promote accountability. Any conduct contrary to or inconsistent with the provisions of the Constitution was invalid. In other words, drafters expected the leadership to adhere, strictly, to rules set by the law. In a bid to make this functional, the drafters of the Constitution made a series of provisions to guarantee the exercise of powers by institutions assigned with oversight functions.

In the preamble to the Constitution of Nigeria, drafters placed priority on rules as mechanisms for the promotion of good governance. Thus, the essence was to ensure the promotion of 'good government and welfare of all persons in our country, on the principles of freedom, equality, and justice, and for the purpose of consolidating the unity of our people' (Constitution of the Federal Republic of Nigeria 1999). It is therefore, mandatory that 'all organs of government, and of all authorities and persons, exercising legislative, executive, or judicial powers, to conform to, observe, and apply the provisions' contained in the Fundamental Objectives and Directive Principles of State Policy (Section 13, Constitution of the Federal Republic of Nigeria 1999). Section 14 of the Constitution mandated the Nigerian state to operate on the principles of democracy and social justice, wherein the primary purpose of the government was to ensure the security and welfare of the people (Constitution of the Federal Republic of Nigeria 1999). This accountability responsibility rested upon the leadership, constituted through democratic processes.

The drafters of the Constitutions of the two countries made provisions for the exercise of oversight by a series of institutions with a view to ensuring transparency and accountability. In the two countries, the supremacy of the Constitution and adherence to the rule of law were fundamental with an entrenched principle of separation of powers. In a bid to make the above effective and functional, there were constitutional provisions that guaranteed the exercise of powers by institutions assigned with oversight duties, particularly, the legislature. How effective were these provisions? Do the actors in the institutions, empowered to harness these statutes, have the political will to make them functional?

The article interrogates these provisions with regard to the crisis of governance in the two countries in the following four other sections besides this introduction, using document search and primary data from the government publications. The next section discusses the concepts of accountability, oversight and governance in literature, while the third section looks at the position of the political elites in governmental activities. The fourth section identifies and discusses the constitutionally assigned legislative oversight powers in Nigeria and South Africa,

while the fifth section presents and discusses data on governance crisis in the two countries. The sixth section concludes the article with recommendations.

Accountability, Oversight and Good Governance

Accountability means the 'obligation to answer for the performance of duties' (Mulgan 2011, 1). This includes the capacity to impose sanctions for the failure or abuse of responsibilities as a measure of remedy with a view to rectifying the governance failure through deterrence (Mulgan 2011). Andreas Schedler sees accountability as a measure to prevent and redress the abuse of political power. He says, 'It implies subjecting power to the threat of sanctions; obliging it to be exercised in transparent ways; and forcing it to justify its acts' (Schedler 1999, 14).

By Schedler's definition, accountability denotes a broad two-dimensional concept: answerability and enforceability. Answerability connotes the obligation of public officials to inform and explain to the public their activities. He argues that 'the notion of answerability indicates that being accountable to somebody implies the obligation to respond to nasty questions and, vice versa, that holding somebody accountable implies the opportunity to ask uncomfortable question' (Schedler 1999, 14). The effectiveness of this answerability is the ability to apportion blame and punish offenders to serve as deterrence. Schedler says:

> In addition to its informational dimension (asking what has been done or will be done) and its explanatory aspects (giving reasons and forming judgments), it also contains elements of enforcement (rewarding good and punishing bad behavior). It implies the idea that accounting actors do not just 'call into question' but also 'eventually punish' improper behavior and, accordingly, that accountable persons not only tell what they have done and why, but bear the consequence for it, including eventual negative sanctions. (Schedler 1999, 15)

On the other hand, enforcement is the capacity of accounting agencies to impose sanctions on power holders who have violated their public duties (Schedler 1999). This definition includes activities such as surveillance, monitoring, oversight, control, checks, restraint, public exposure and punishment. This is to ensure that extant rules and statutes guide the exercise of power. This is more profound in the governing systems that operate on the principle of separation of powers and the doctrine of checks and balances.

In the context of the South African political system, accountability connotes that:

> public office-bearers, in all arms of the State, must regularly explain how they have lived up to the promises that inhere in the offices they occupy. And the objective is to arrest or address underperformance and abuse of public power and resources. Since this matter is essentially about executive accountability, that is where the focus will be. (2016 ZACC 11, para 8)

The court explained further that accountability in South Africa was a core value of the country's constitutional democracy for meeting the aspirations of citizens. Thus:

> accountability is necessitated by the reality that constitutional office-bearers occupy their positions of authority on behalf of and for the common good of all the people. It is the people who put them there, directly or indirectly, and they, therefore, have to account for the way they serve them. (2017 ZACC 21, para 33)

O'Donnell (2008) identifies two types of accountability: horizontal and vertical. Vertical accountability represents the exercise of the voting power of citizens in order to change leaders through the electoral process. Jacobson (1989) has argued that a prevailing culture of free and competitive elections was sufficient to motivate political leaders to govern responsibly. Since the public holds the key to determine their fate in elections, service delivery should be the priority of political leaders. Nevertheless, when the outcomes of elections might seem to have little relationship with the performance of political actors while in office, then the executive and legislative elites might choose to act irresponsibly (Jacobson 1989).

Horizontal accountability, on the other hand, occurs in between elections through institutional measures and mechanisms (Mulgan 2011, O'Donnell 2008). State institutions, such as the legislature, as well as other bodies and agencies, charged with the responsibility of conducting oversight activities over the government administrations, exercise horizontal accountability. Such institutions have the requisite powers and authority 'to take actions that span from routine oversight to criminal sanctions or impeachment in relation to actions or omissions by other institutions of the state that may be qualified as unlawful' (O'Donnell 2008, 31).

There are two major types of accountability: horizontal and vertical (O'Donnell 2008). Vertical accountability occurs when citizens exert their voting power to order a change of leadership through the electoral process. Horizontal accountability occurs when the state institutions and agencies charged with the responsibility of conducting oversight activities over the government administrations, exert their constitutional powers to demand accountability from the executive (Mulgan 2011, O'Donnell 2008).

Adamolekun (2010) identifies diagonal and society-drawn horizontal accountability. Diagonal accountability, according to him, connotes the involvement of citizens in enforcing horizontal accountability. Since the legislature is the symbolic representation of the public, citizens, as in the cases of impeachments in some Latin American countries (Hochstetler 2011, Kada 2003, Perez-Linan 2014), mount pressures on their representatives to enforce accountability when the government seems to be working against the public interest.

The society-driven horizontal accountability occurs when citizens in conjunction with the civil society organisations seek to enforce, directly, accountability (Adamolekun 2010, Perez-Linan 2014). This is feasible in societies where collaboration between the executive and the legislature leads to a crisis of governance. In the midst of legislative docility and executive recklessness, the public might decide to organise public protests against the entire government as were the cases in some Latin American countries (Perez-Linan 2014).

In public administration, 'governance has become a technical term related to bureaucratic operation and performance' (Rose-Ackerman 2017, 3). Promotion of

governance entails concentration 'on designing public programs to limit the incentives for corruption and on increasing government transparency and accountability to the public and the media, as well as to other political and bureaucratic actors' (Rose-Ackerman 2017, 3). This requires the effectiveness of the operation and activities of the executive and the legislative branches of the government, incorporating all independent regulatory agencies assigned with the policymaking process.

Most importantly, agencies of the government are saddled with evaluative responsibilities with a view to ensuring effective oversight of public policies. 'Good governance refers to all kinds of institutional structures that promote both good substantive outcomes and public legitimacy' (Rose-Ackerman 2017, 1). This includes institutionalised accountability measures, as well as a good linkage of the policy process, at the relevant branches and agencies of the government, with the preferences and values of the public.

> Technical, economic, and scientific knowledge remains essential to effective policy. Hence, the fundamental challenge for governance reform is to balance expertise and democratic participation beyond both the ballot box and the scientific laboratory to produce public policies that solve important social problems and are accepted as legitimate by citizens. (Rose-Ackerman 2017, 1)

She identifies the goals of governance reforms as 'more effective public policies' and institutionalisation of legitimate and accountable procedures to the citizenry.

Promotion of good governance, as a responsibility, is not limited to the activities of the elected political officeholders or their political parties. In the words of Susan Rose-Ackerman, 'democracy should help encourage good governance, but it is at least possible to have publicly accountable policymaking without electoral democracy' (Rose-Ackerman 2017, 3). Poor governance in developing countries, especially in Africa, is often associated with the façade of democratic principles where the public engage the government on the issue of governance to legitimise impunity through animated public support. Rose-Ackerman (2017) says that:

> the heart of the debate over 'good governance' is the familiar tension between technical competence and procedural legitimacy with an emphasis on public involvement and justification. The term implies that the techniques used to produce policies further political legitimacy; the goal is not only policies that are scientifically advanced and technically sound but also policies that respond to public concerns. (Rose-Ackerman 2017, 3)

The expectation of the public is good governance. Thus, a nation is experiencing governance crisis or bad governance when it is ensnared in a poverty trap with poor physical infrastructural facilities and 'weak and venal public institutions' (Rose-Ackerman 2017, 2). The outcomes of this are rise in poverty and unemployment and decaying social infrastructures. The level of poverty and the quantum of patronages available for the political elite are combined factors that often silence effective horizontal accountability (Adamolekun 2010). Effective oversight of the government activities in ensuring best practice is essential to deter the descent to this level.

Oversight in this instance means the exercise of constitutional powers by designated institutions with legitimate power to checkmate or control the exercise the powers of the state in a manner that would make the executive accountable and responsible to the electorate in between elections (Oleszek 2014). The objective of oversight, therefore, is the legislative capacity to ensure that members of the executive are held 'accountable for the implementation of delegated authority' (Oleszek 2014, 382). Thus, the purpose of oversight is to ensure answerability and enforceability, in the exercise of state powers by designated public officials with a view to ensuring the promotion of effective public policy outcomes.

The legislature has the constitutional requisites to hold the executive accountable (Adamolekun 2010, Hochstetler 2011, Perez-Linan 2014). The Constitutions of South Africa and Nigeria made provisions for the legislative oversight power. With the exercise of oversight power, the legislature, as the conscience of the public, seeks to scrutinise the government policies with a view to ensuring effective service delivery. Besides this, the Constitutions also enabled the establishment of institutional mechanisms and institutions designed to depoliticised oversight responsibilities with a view to ensuring public accountability.

Thus, Wang (2005, 1) is of the view that the basic accountability relationship between the legislature and the executive 'is expected to be determined by social legitimacy, constitutional powers, and external agents'. Other variables such as the committee system, political parties, political elites outside the parliament and 'the various characteristics of the chamber' also determine the extent at which the legislature could carry out its accountability responsibilities (Wang 2005, 1). In terms of legitimate authority to act, legislatures in South Africa and Nigeria have the capacity to harness the requisite constitutional powers of oversight. Nevertheless, the effectiveness of the exercise of such power depends on the disposition of actors.

Political Elite in the Affairs of the State

Power is the central theme of politics. Political actors are mostly concerned with the struggle to gain or retain state power (Higley 2011). The essence of the exercise of state power, according to Fukuyama (2015, 12), is the promotion of the public good. In most democracies, there are institutions that constraint to the exercise of power in a manner that defines the behaviours of legitimate political actors exercising the power of the state (Fukuyama 2015). This is important because power is exercisable by people who are susceptible to the abuse of rules. This restraint measure, therefore, is a design to ensure the exercise of power to achieve its original purpose.

The important actors here are political elites: a set of people with a legitimate connection to the institutions of power to influence the decision-making process in the state (Francis 2011). These individuals hold and control the top governmental positions (Higley 2011, Pareto 1935, 1968 cf. Mathiot and Gervais 2011). In Nigeria and South Africa, these set of people are within the formal and informal

institutions of the government. Nigeria's presidential system, with regard to the federal structure, promotes personalised politics. Thus, individual politicians, with enormous political power, often exert influence on the elected and bureaucratic officials of the government (Fagbadebo 2016). While personalised politics is also visible in South Africa, its efficacy is rooted more in the influence of individuals within the ruling political parties. The strict adherence to party rules and discipline, encouraged by the principle of party supremacy in the governing system, affords the political elite to exert control over the governmental activities and decisions.

The consequence of this on the legislative process, in the two countries, is the inability of lawmakers to discharge their constitutional responsibilities, effectively, independent of the influence of political elites within the political parties (Fagbadebo 2016, 2007, Fagbadebo and Ruffin 2017). Although Constitutions made provisions for requisite institutional structures for separation of powers, they rarely work except when there is a crisis between the gladiators in the two branches of the government, especially in Nigeria.

Legislative Oversight Powers in South Africa and Nigeria

The Constitutions of Nigeria and South Africa provide for a series of measures to ensure that legislatures effectively scrutinise the actions and decisions of the government. The two countries have different governing systems. Nigeria's presidential system and the hybrid of parliamentary and presidential system in South Africa incorporates the system of separation of powers among the three branches of the government: the legislature, the executive and the judiciary. Each branch of the government has constitutionally structured responsibilities to promote the ideals of constitutional democracy. Their Constitutions empowered legislative institutions to harness the powers of control over executive responsibilities to ensure delivery of public goods.

The South African Constitution, for instance, made provisions for 'accountability-enhancing' measures which included 'being voted out of office by the electorate, … removal [of president] by Parliament through a motion of no confidence, or impeachment' (2017 ZACC 21, para 10). The Constitutional Court described these measures as 'crucial accountability-enhancing instruments that forever remind the President and Cabinet of the worst repercussions that could be visited upon them, for a perceived or actual mismanagement of the people's best interests' (2017 ZACC 21, para 10). Similarly, the legislature, at the state and national levels of the government in Nigeria, could remove the heads of the executive branches from office if they violate the provisions of the Constitution (Fagbadebo 2016).

Section 41 (1) (c) of the South African Constitution compelled the government to 'provide effective, transparent, accountable and coherent government for the Republic as a whole'. This is in pursuant of one of the cardinal purposes of the law, that is, to 'improve the quality of life of all citizens and free the potential of each person' (Preamble, Constitution of the Republic of South Africa 1996). Similarly, Section 4 (2) of the Nigerian Constitution empowered the legislature to 'make laws

for the peace, order and good government'. Essentially, these provisions set the pace for the expected functionality of the government, namely, effective service delivery to the public, and empower the legislature, as the custodian of legislative powers of the two countries, to guard and guide the implementation of public policies in accordance with the stipulation of the Constitution.

Section 55 of the South African Constitution empowered the National Assembly (NA) to ensure executive accountability and maintain oversight of the implementation of public policies. It states:

> (1) In exercising its legislative power, the National Assembly may—(a) consider, pass, amend or reject any legislation before the Assembly; and (b) initiate or prepare legislation, except money Bills. (2) The National Assembly must provide for mechanisms—(a) to ensure that all executive organs of state in the national sphere of government are accountable to it; and (b) to maintain oversight of—(i) the exercise of national executive authority, including the implementation of legislation; and (ii) any organ of state. (Constitution of the Republic of South Africa 1996)

In furtherance to this, Section 56 made provisions for the NA to source and obtain evidence or information necessary for the performance of its oversight functions.

> The National Assembly or any of its committees may—(a) summon any person to appear before it to give evidence on oath or affirmation, or to produce documents; (b) require any person or institution to report to it; (c) compel, in terms of national legislation or the rules and orders, any person or institution to comply with a summons or requirement in terms of paragraph (a) or (b); and (d) receive petitions, representations or submissions from any interested persons or institutions. (Constitution of the Republic of South Africa 1996)

In Nigeria, Section 88 (1) of the Constitution also empowered the NA, comprising the Senate and the House of Representatives, to investigate the activities of the executive branch of the government.

> Subject to the provisions of this Constitution, each House of the National Assembly shall have power by resolution published in its journal or in the Official Gazette of the Government of the Federation to direct or cause to be directed investigation into—(a) any matter or thing with respect to which it has the power to make laws, and (b) the conduct of affairs of any person, authority, ministry or government department charged, or intended to be charged, with the duty of or responsibility for—(i) executing or administering laws enacted by National Assembly, and (ii) disbursing or administering moneys appropriated or to be appropriated by the National Assembly. (Constitution of the Federal Republic of Nigeria 1999)

In view of this, the two chambers of the NA have guaranteed access to the necessary information. Section 89 (1) (a) of the Constitution states conferred them with the power to procure, on oath, all evidence, in whatever form, 'direct or circumstantial, as it may think necessary or desirable, and examine all persons as witnesses whose evidence may be material or relevant to the subject matter'. In addition to this, the NA has the power to:

> summon any person in Nigeria to give evidence at any place or produce any document or other thing in his possession or under his control, and examine him as a witness and require him to produce any document or other thing in his possession or under his control, subject to all just exceptions; and (d) issue a warrant to compel the attendance of any person who, after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the House or the committee in question … (Section 89 (1) (d), Constitution of the Federal Republic of Nigeria 1999)

The purpose of this investigative power was to enable the Senate and the House of Representatives to 'expose corruption inefficiency or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it' (Section 88 [2] [b]).

These provisions were essential because the legislatures in the two countries had the legitimate power to authorise the disbursement of funds from the revenue pools. Commonly known as the legislative power of the purse, it was a design that empowered the legislature, the symbolic representation of the generality of citizens, to propose the supply of the 'requisite for the support of government' with a view to maintaining the government to function properly (Madison 2008). James Madison described the power 'as the most complete and effectual weapon with which any Constitution can arm the immediate representatives of the people, for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure' (Madison 2008). It is the traditional power of the legislature to ensure fiscal accountability in terms of policy implementation, even though it is becoming ineffectual.

Section 213 of the South African Constitution states:

> (1) There is a National Revenue Fund [NRF] into which all money received by the national government must be paid, except money reasonably excluded by an Act of Parliament. (2) Money may be withdrawn from the National Revenue Fund only—(a) in terms of an appropriation by an Act of Parliament; or (b) as a direct charge against the National Revenue Fund, when it is provided for in the Constitution or an Act of Parliament. (3) A province's equitable share of revenue raised nationally is a direct charge against the National Revenue Fund. (Constitution of the Republic of South Africa 1996)

Similarly, Section 80 of the Nigerian Constitution mandated the NA to authorise the government expenditure from the Consolidated Revenue Fund (CRF). It states:

> (1) All revenues or other moneys raised or received by the Federation (not being revenues or other moneys payable under this Constitution or any Act of the National Assembly into any other public fund of the Federation established for a specific purpose) shall be paid into and form one Consolidated Revenue Fund of the Federation [CRF]. (2) No moneys shall be withdrawn from the Consolidated Revenue Fund of the Federation except to meet expenditure that is charged upon the fund by this Constitution or where the issue of those moneys has been authorised by an Appropriation Act, Supplementary Appropriation Act or an Act passed in pursuance of section 81 of this Constitution.

> (3) No moneys shall be withdrawn from any public fund of the Federation, other than the Consolidated Revenue Fund of the Federation, unless the issue of those moneys has been authorised by an Act of the National Assembly. (4) No moneys shall be withdrawn from the Consolidated Revenue Fund or any other public fund of the Federation, except in the manner prescribed by the National Assembly. (Constitution of the Federal Republic of Nigeria 1999)

The implication of these provisions for legislative oversight and accountability was that, theoretically, the legislature had the unquestionable responsibility of maintaining fiscal accountability in terms of the policy process. Since the fiscal appropriation is an area of legislative competency, it connotes that the members had the right to prevent waste and misappropriation of public funds.

In a bid to make the power more effectual, the Constitutions of the two countries mandated the office of the Auditor-General to provide audit reports of the accounts, financial statements and management of the government to the legislatures. Section 188 of the South African Constitution states that the 'Auditor-General must audit and report on the accounts, financial statements and financial management' of all levels of the government—municipalities, provincial and national as well as any other institutions of the government. In addition, the 'Auditor-General must submit audit reports to any legislature that has a direct interest in the audit, and to any other authority prescribed by national legislation' (Section 188 (3), Constitution of the Republic of South Africa 1996).

In Nigeria, Section 85 of the Constitution says:

> The public accounts of the Federation and of all offices and courts of the Federation shall be audited and reported on to the Auditor-General who shall submit his reports to the National Assembly; and for that purpose, the Auditor-General or any person authorised by him in that behalf shall have access to all the books, records, returns and other documents relating to those accounts…. The Auditor-General shall have the power to conduct checks of all government statutory corporations, commissions, authorities, agencies, including all persons and bodies established by an Act of the National Assembly…The Auditor-General shall, within ninety days of receipt of the Accountant General's financial statement, submit his reports under this section to each House of the National Assembly and each House shall cause the reports to be considered by a committee of the House of the National Assembly responsible for public accounts. (Constitution of the Federal Republic of Nigeria 1999)

These provisions, therefore, allowed the legislatures, in the two countries, to assess the implementation of policies appropriated for with a view to seeing the level of accountability of the government. It is also one of the measures available to the legislature to detect any act of malfeasances in the process of the execution of public policy.

Where the legislatures were availed of any misconduct on the part of the executive, the Constitutions make provisions for the legislature to enforce accountability through the appropriate sanctions. Sections 89 and 102 of the South African Constitution made provision for the removal of the president through either impeachment or vote of no confidence, respectively.

Section 89 of the Constitution made provisions for the impeachment of the president, only on the grounds that there had been established allegations of 'serious violation of the Constitution or the law, serious misconduct or inability to perform the functions of office' (Section 89 [1], The Constitution of the Republic of South Africa 1996). The implication here is that the members of the legislature must establish the malfeasances that constituted impeachable offences because its outcome would affect the integrity and future political engagement of the president. Section 89 (2) stated that:

> Anyone who has been removed from the office of President in terms of subsection (1) (a) or (b) may not receive any benefits of that office, and may not serve in any public office. (Constitution of the Republic of South Africa 1996)

In the case of vote of no confidence, the NA could remove members of the entire Cabinet. This means that the president would have to reconstitute the Cabinet. However, if the vote of no confidence is on the president, the entire members of the executive—the president, deputy president and all ministers—must resign (Section 102, Constitution of the Republic of South Africa 1996). As the Constitutional Court noted, the vote of no confidence is more devastating than impeachment.

> It does not necessarily require any serious wrongdoing, though this is implied. It may be passed by an ordinary, as opposed to a two-thirds majority of Members of the National Assembly. Unlike an impeachment that targets only the President, a motion of no confidence does not spare the Deputy President, Ministers and Deputy Ministers of adverse consequences. And the Constitution does not say when or on what grounds it would be fitting to seek refuge in a motion of no confidence. (2017 ZACC 21, para 45)

In Nigeria, Sections 143 and 188 of the Constitution stipulate the procedures for the removal of the president and/or his deputy and the governor and/or the deputy, respectively, from office whenever it was established that they had committed offences that amounted to 'gross misconduct' (Sections 143 and 188, Constitution of the Federal Republic of Nigeria). The Constitution did not define, explicitly, what constituted 'gross misconduct' other than 'a grave violation or breach of the provisions of this Constitution or a misconduct of such nature as amounts in the opinion of the National Assembly to gross misconduct' (Sections 143 (11) and 188 (11), Constitution of the Federal Republic of Nigeria 1999). Initially, this lacuna gave rise to the abuse and misuse of the provision as a weapon of political intimidation (Fagbadebo 2016).

Nevertheless, after a series of abuse, the Supreme Court defined it as 'serious, substantial and weighty' violations of the Constitution that impinge on the public good (2007 1 S. C., 63). The court averred that the 'gross' in the misconduct contextually connotes 'atrocious, colossal, deplorable, disgusting, dreadful, enormous, gigantic, grave, heinous, outrageous, odious and shocking' (2007 1 S. C., 63). This included all forms of abuse of power, corruption, dereliction of constitutional responsibilities, as well as interference with vital constitutional provisions that safeguard the welfare needs of citizens. Thus, the intention of the drafters of the

Constitution for the exercise of this legislative power, devoid of any political sentiment, was to promote the public good.

The Constitutional Court in South Africa had explained that vote of no confidence in the president:

> is inextricably connected to the foundational values of accountability and responsiveness to the needs of the people. It is a mechanism at the disposal of the National Assembly to resort to, whenever necessary, for the enhancement of the effectiveness and efficiency of its constitutional obligation to hold the Executive accountable and oversee the performance of its constitutional duties. (2017 ZACC 21, para 32)

The provision for the vote of no confidence in the president in the South African Constitution, like the impeachment provisions in the Nigerian Constitution (Fagbadebo 2016, 2007 1 S. C., 64–65), is to serve 'as an effective consequence-enforcement tool' (2017 ZACC 21, para 27). Although the exercise of the power therein could be politicised or used against its primary purpose, this does not in any way vitiate the importance of its original intendment (Fagbadebo 2016, 2017 ZACC 21 para 32, 2007 1 S. C. 64–65). In the South African context, the vote of no confidence is meant 'to strengthen regular and less "fatal" accountability and oversight mechanisms' (2017 ZACC 21, para 34).

This kind of legislative control over the executive is not the same in other African countries. In Angola, another case of a presidential system of the government, the legislative instrument of oversight is very weak (Amundsen 2014, Barros 2012). The presidential system has a weak structure for separation of powers among the three branches of the government. The Constitution concentrated more powers in the hand of the president. Constitutional measures for checks and balances are very weak; the legislative and judicial institutions are politically impotent, and there is a lack of respect for their decisions (Amundsen 2014). The president has the power, in conjunction with the Council of Ministers, to make laws and decrees. Thus, the presidential system vested more powers in the executive. Legislative oversight measures, as well as judicial review of executive decisions, are not functional. The legislature in Angola lacked financial autonomy; it depended on the government allocations, which often was not enough for its statutory operations (Amundsen 2014).

Essentially, these constitutional provisions are cautionary measures to stimulate effective performance and adherence to the rule of law in the exercise of state power with a view to fulfilling their mandates to the people. Nevertheless, there is little to show for how the members of the legislatures in the two countries have put them to use. In Nigeria, in spite of the numerous allegations and confirmation of serious abuse of power, the legislatures, at the state and national levels, have failed to assert their accountability enforceability powers. In some states, where there were semblances of the exercise of the impeachment power, the lawmakers used impeachment as a weapon of political intimidation and harassment (Fagbadebo 2016). To this effect, the judiciary invalidated few cases of impeachment because the procedures were fraught with abuse and breaches of the Constitution, even though there were *prima facie* cases of infractions on the parts of the governors (Fagbadebo 2016).

Moreover, the constitutional provisions that strengthened legislative oversight power, in Nigeria and South Africa, did not deter the soaring reports of corruption cases in the two countries. Public perceptions on the rampant allegations of corruption and the attendant consequences have been negative in the past few years (Fagbadebo 2016, Public Protector 2014, 2016). Moreover, the cycle of the governance crisis persists.

Crisis of Governance in South Africa and Nigeria

In the 2017 Corruption Challenges Index, Nigeria was among the 10 most corrupt countries in the world (Corruption Watch 2017). Corruption Perception Index Reports of the Transparency International (TI), since 1999, indicated that Nigeria had gloomy records of public perception on corruption, as shown in Table 1.

In South Africa, as shown in Table 1, the public perception of corruption began to worsen in 2011 compared to the records between 1999 and 2010. In 2015, 83 per cent of the citizens agreed that corruption problem was worsening, while 79 per cent castigated the government for its indecisive approach to anti-corruption campaigns (Global Corruption Barometer, Africa Survey 2015). A newspaper columnist, Ivo Vegter, concluded that 'corruption is one of South Africa's biggest problems' (Vegter 2017).

Table 1. Corruption Perception Index for Nigeria and South Africa, 1999–2016

Year	Rank		Total Number of Countries
	Nigeria	South Africa	
1999	98	34	99
2000	90	34	90
2001	90	38	91
2002	101	36	102
2003	132	48	133
2004	144	44	145
2005	152	46	158
2006	142	51	163
2007	147	43	179
2008	121	54	180
2009	130	55	180
2010	134	54	178
2011	143	64	177
2012	139	69	174
2013	164	72	177
2014	136	67	175
2015	136	61	167
2016	136	64	176

Source: Compiled by the author from Transparency International Reports on the Corruption Perception Index, 1999–2016.

Development indices and reports have shown that the citizens of Nigeria and South Africa were passing through tough times. Statistics South Africa (Stats SA; Statistics South Africa 2017a) announced that the country's 'economy moved into recession with the reported decrease of 0.7% in GDP during the first quarter of 2017, following a 0.3% contraction in the fourth quarter of 2016' (Statistics South Africa 2017a). Credit rating agencies downgraded the country's economy to junk status in recent times because of the weakening status of the credit profile of the government (Cotteril 2017; Head 2017; Mbowenu 2017). Similarly, Nigeria's National Bureau of Statistics (NBS) announced that the nation's economy shrank by −0.52 per cent in the first quarter of 2017 (National Bureau of Statistics 2017). This affirmed the deepening economic crisis in the oil-rich nation that formally entered recession in 2016 (Patience 2017). The consequences of these negative economic reports were the manifested spate of governance crisis that had triggered public outrages in the two countries (Vegter 2017).

Corruption weakens governance structures, especially in the sub-Saharan African region, with its negative impacts on the economic growth. Countries could not harness abundant domestic investment opportunities because of corruption and, as such, could not attract sufficient foreign inflow of capitals for growth (Haydaroğlu 2016). The political environment was usually unsteady because of poor governance (Akanbi 2010). The effects of corruption reflected in public finances and investments with its attendant consequences on the standard of living of the people (Price Waterhouse and Cooper 2016).

Faced with mounting demands for good governance from citizens, the South African government had fell short in its response to the yearnings of the people (Cilliers and Aucoin 2016). Anger and anguish reflected in the tones and tunes of citizens as the South African state drifted to socio-economic and political instability. Public discontent was rife while the political elites were trading blames. The economic and social fundamentals, especially poverty, inequality and unemployment, continue to expand its scope in the lives of the people (Cilliers and Aucoin 2016; Lancaster 2016).

Members of the public, in the two countries, usually expressed their opinions through the reactions of the people to major issues on governance, with the feelings of discontentment. A South African citizen complained thus:

> My wife took the children and moved back with her parents in 2012 because I could not feed them. My children would cry, begging me for food, but I was helpless … people are living large, all we see is corruption, billions of Rands stolen and we go hungry for days. (cf. Mabena 2017)

Likewise, in Nigeria, public insecurity was at its height with incessant cases of kidnapping, ritual murders and violent armed robberies. Hunger and poverty have driven the citizens into criminal activities endangering the lives of the people (Jombo 2017). In the face of ineffective response from the government, citizens have resorted to self-defence while members of the executive and the legislatures were often at loggerheads over the definition of their statutory powers (Gbenga-Ogundare 2017; Ramon 2017). Public perception was negative. A Nigerian, Elizabeth

Ugbah, described the nature of suffering the ordinary Nigerians were passing through thus:

> We have a very critical moment for Nigerians now. Everybody is living in intense hardship, now that the prices of commodities and other materials have skyrocketed beyond imagination … And where precisely are we heading for in this country? … there is hunger in the land, coupled with the fact that there is no money. The poor are getting poorer each day, with little or no hope for survival. Nobody knows what tomorrow holds. Our leaders should be committed, hardworking, disciplined and transparent in their duties to this great country. (cf. *Nigerian Tribune* 2017)

The Stats SA, in 2011, estimated that approximately 10.2 million South Africans lived in poverty, while 28 million lived below R779 income per month (Statistics South Africa 2017a). Unemployment in South Africa rose from 26.5 per cent in 2016 to 27.7 per cent in January 2017 (Trading Economics 2017a). Youth unemployment in South Africa (the people aged between 15 and 24) was 52 per cent (Statistics South Africa 2017b). Similarly, Nigeria had a record of 11.5 million unemployed in January 2017, the highest since 2009 (Trading Economics 2017b). In 2016, the unemployment figure stood at 13.5 million people. An estimated 54 per cent of the 185 million Nigerians lived in poverty, with little or no access to the basic public social infrastructural facilities (Human Rights Watch 2017). The two countries have been unable to transform their resources into sources of wealth for citizens as the top government officials are reportedly being involved in mismanagement and corrupt practices with impunity.

Nigeria and South Africa were in the category of countries with low human development (LHD) and medium human development (MHD), respectively, since 1999, as shown in Table 2. Human development encompasses the totality of the richness of the human life and well-being (United Nations Development Programme [UNDP] 2016). It is concerned about the building of human resources in terms of opportunities and choices available for the improvement of the quality of life of the people. It is 'about giving people more freedom to live lives they value. In effect, this means developing people's abilities and giving them a chance to use them' (UNDP 2016).

It requires the process of translating and manifesting of development benefits in the lives of citizens. It connotes the expansion of the richness of human life with the focus on opportunities and choices available to citizens. The Human Development Index measures the healthcare delivery, education, poverty, employment opportunities, human security and the general well-being of citizens UNDP (2016). It requires the reflection of development benefits in the quality of lives of citizens. These are the core responsibilities of the state to citizens.

In the Fragile/Failed State Index, the two countries have been experiencing downward trends, as indicated in Table 3. Four categorised indicators measure the index: cohesion, economic, political and social. Cohesion indicators included security apparatus, factionalised elites and group grievance. Economic decline, uneven economic development and human flight, and brain drain constituted economic indicators, while state legitimacy, public services and human rights and rule of law constituted political indicators. The social and cross-cutting indicators

Table 2. Human Development Index and Ranking, 1999–2016

	Human Development Rank	
Year	Nigeria	South Africa
2000	151	103
2001	136	94
2002	148	107
2003	152	111
2004	151	119
2005	158	120
2006	159	121
2007/2008	158	121
2009	158	129
2010	142	110
2011	156	123
2012	NA	NA
2013	153	121
2014	152	118
2015	152	119
2016	151 (LHD)	119 (MHD)

Source: Compiled by the author from the available data produced by the United Nations Development Programme's (UNDP) Human Development Reports for the period. Available at: www.undp.org/content/undp/en/hme/librarypage/hdr/

Table 3. Fragile/Failed State Index, 2006–2017

	Nigeria		South Africa	
Year	Rank	Total	Rank	Total
2006	22/146	94.4	110/146	55.7
2007	17/177	95.6	132/177	57.4
2008	18/177	95.7	125/177	62.7
2009	15/177	99.8	122/177	67.4
2010	14/177	100.2	115/177	67.9
2011	14/177	99.9	116/177	67.6
2012	14/177	101.1	115/177	66.8
2013	16/178	100.7	113/178	67.6
2014	17/178	99.7	115/178	66.6
2015	14/178	102.4	113/178	67
2016	13/178	103.5	108/178	69.9
2017	13/178	101.6	96/178	72.3

Source: Compiled by the author from the Failed/Fragile States Index Reports produced by the Fund for Peace. Available at: www.global.fundforpeace.org

include demographic pressures, refugees and internally displaced people and external intervention. All these indicators constitute issues under the purview of legislative oversight functions. Since 2006, Nigeria's position in the index has remained constant in the red-alert category.

South Africa relapsed from the green-stable category in 2006 and 2007 to the yellow-warning category in 2008 (Messner 2017). Thus:

> the changing colors of South Africa on that map during the past decade has served as a stark visual demonstration of the country's rapid decline. From the bright green of (relative) Stability in 2007 through to the yellow-orange of the Warning category in 2017—as the country faces social, economic, and political turmoil. (Messner 2017)

This demonstrated its rapid decline with the mounting social, economic and political uprisings in recent times (Messner 2017). South Africa was the sixth most-worsened country out of the 178 countries assessed, even though it was not in active conflict (Messner 2017). The worsening economic decline aggravated group grievance, challenging the legitimacy of the government (Statistics South Africa 2017b). This, invariably, gave the spike to the worsening factionalisation among political elites, which indicated a dangerous and rapidly fragmented political system.

Spiralling economic challenges, coupled with the rising societal division and factitious political leadership, aggravated violent public protests in recent years. The economy was characterised by a sluggish growth. Unemployment, indicated to be 50 per cent of the population, poverty with a widening gap of inequality, poor service delivery, soared with the consequential impacts on the well-being of the people. Evidence of the governmental economic mismanagement, as well as the failure to provide the people with basic needs, characterised the South African state in recent years (Public Protector 2016). Accountability and transparency have become a rarity with daily reports on the allegations of scandals and corruption against the top government officials and influential individuals in the state.

Conclusion and Recommendations

It may not be proper to blame the legislature for these worsening economic growth and the attendant consequences. Nevertheless, it is essential to note that the ineffective exercise of legislative oversight powers majorly created the environment for the downturn in these national economies. Extant provisions of the Constitutions of the two countries, despite the differences in their governing systems, contained similar statutory legislative mechanisms to control the power of the executive with a view to ensuring effective public policy. In terms of capacity, the members of the legislative assemblies in the two countries have the requisite constitutional powers to control policy outcomes in a manner that would meet the yearnings of the people.

One feature common in the politics of the two countries is the nature of political structures. In South Africa, the culture of loyalty to the party weakens the capacity of the members of the legislature to hold the president accountable for his misdeeds (Barkan 2005). This is not, however, the intendment of the drafters of the Constitution. Constitutionally, every member of the parliament is bound to be loyal to the state as contained in Item 4 of Schedule 2 of the Constitution (2017 ZACC 21 para 61).

The loyalty to the party, and the person of the president, had made it difficult for the legislature to operate beyond the status of a rubber-stamp assembly in South Africa (Barkan 2005). Safe for judicial intervention, the opposition political parties in the NA, with minimal vote strength, did not have a significant advantage to force a bipartisan solidarity against the president. The majoritarian votes of the ruling African National Congress defeated all motions of no confidence in the former President Jacob Zuma (Cowan 2017; Herman 2017). Even, when the judiciary declared an act of the president as a violation of the Constitution (2016 ZACC 11), the NA failed to act appropriately (2017 ZACC 47). This was contrary to the provisions of Section 237 of the Constitution that 'All constitutional obligations must be performed diligently and without delay' (Constitution of the Republic of South Africa 1996).

In Nigeria, in spite of the avalanche of anti-corruption agencies and other constitutional mechanisms, sleaze in the public domain has become a culture of the political process. While impeachment remains the only viable measure to discipline heads of the executive found to have violated the Constitutions, it has become an instrument of political victimisation and vendetta to whip opposition political figures to the line (Fagbadebo 2016). The agencies responsible for fighting corrupt practices have become political organs to either silence or force the opposition into a retreat.

It is evident that in Nigeria and South Africa, institutions of accountability are weak. A resort to the civil society to enforce accountability is a feasible option. Then, a disoriented public would be incapacitated to demand accountability from political elite. Members of the civil society are being guided by the survival instinct of seeking first the kingdom of the individual stomach (Bayart 1993). Dependence on the laws and rules cannot guarantee accountability until the rulers and the ruled are guided by sustainable value systems. The successful practices of different governing systems in other advanced democracies have been accompanied by the entrenched value systems that promote and protect public interests.

Declaration of Conflicting Interests

The author declared no potential conflicts of interest with respect to the research, authorship and/or publication of this article.

Funding

The author received no financial support for the research, authorship and/or publication of this article.

References

Adamolekun, L. 2010. The Governors and the Governed: Towards Improved Accountability for Achieving Good Development Performance. *Africa Review* 2, no. 2: 105–38.

Akanbi, O. A. 2010. Role of Governance in Explaining Domestic Investment in Nigeria. Working Paper No. 168. Pretoria: University of Pretoria.

Amundsen, I. 2014. Drowning in Oil: Angola's Institutions and the 'Resource Curse'. *Comparative Politics* 46, no. 2: 169–89.

Bayart, J. 1993. *The State in Africa: The Politics of the Belly*. New York: Longman Press.

Barkan, J. 2005. Emerging Legislature or Rubber Stamp? The South African National Assembly after Ten Years of Democracy. Centre for Social Science Research (CSSR) Working Paper No. 134. Cape Town: University of Cape Town.

Barros, C. P. 2012. The Resource Curse and Rent-Seeking in Angola. Working Paper No. 102. Center for Studies on Africa, Asia and Latin America (CEsA), Lisbon.

BBC News. 2016, March 10. Nigeria v South Africa: The Battle for African Supremacy. Retrieved 12 April 2017, from http://www.bbc.com/news/world-africa-35763121

Cilliers, J. and C. Aucoin. 2016. Economics, Governance, and Instability in South Africa. Institute for Security Studies (ISS) Paper 293. Pretoria: Institute for Security Studies.

Corruption Watch. 2017. Corruption Challenges Index: Unexpected Results for SA. Retrieved 12 March 2018, from http://www.corruptionwatch.org.za/corruption-challenges-index-yields-unexpected-result-south-africa/

Cotteril, J. 2017, April 7. Fitch Cuts South Africa's Credit Rating. *Financial Times*. Retrieved 10 April 2017, from https://www.ft.com/content/5b8e083c-1b91-11e7-bcac-6d03d067f81f?mhq5j=e3

Cowan, K. 2017, July 2. No Confidence Vote: MPs Will Be Disciplined if They Vote Against ANC, Party Line. *Times Live*. Retrieved 3 July 2017, from https://www.timeslive.co.za/politics/2017-07-02-no-confidence-vote-mps-will-be-disciplined-if-they-vote-against-anc-party-line/

Economic Freedom Fighters v. *Speaker of the National Assembly and Others; Democratic Alliance v Speaker of the National Assembly and Others* ZACC 11 (2016).

Economic Freedom Fighters and Others v. *Speaker of the National Assembly and Another* ZACC 47 (2017).

Fagbadebo, O. M. 2007. Corruption, Governance and Political Instability in Nigeria. *African Journal of Political Science and International Relations* 1, no. 2: 28–37.

———. 2016. Exploring the Politics of Impeachment in Nigeria's Presidential System: Insights from Selected States in the Fourth Republic, 1999–2007. PhD Dissertation Submitted to the University of KwaZulu-Natal, April 2016.

Fagbadebo, O. M. and F. Ruffin. 2017. Between the Old and the New: Comparing the Effectiveness of the Pre-and Post-colonial Administrations in Nigeria. *Idilinga: African Journal of Indigenous Knowledge Systems* 16, no. 1: 148–59.

Fragile States Index. 2017. *Annual Report*. Washington, DC: Fund for Peace. Retrieved 12 May 2018, from http://fundforpeace.org/fsi/

Francis, S. 2011. *Institutionalizing Elites: Political Elites Formation and Change in the KwaZulu-Natal Provincial Legislature.* Leiden and Boston: Brill.

Fukuyama, F. 2015. Why Is Democracy Performing so Poorly? *Journal of Democracy* 26, no. 1: 11–20.

Gbenga-Ogundare, Y. 2017, July 5. Magu: Acting President Can Be Impeached-Ozekome. *Nigerian Tribune*. Retrieved 7 July 2017, from http://tribuneonlineng.com/magu-acting-president-can-impeached-ozekhome/

Global Corruption Barometer: Africa Survey. 2015. Retrieved 12 June 2017, from https://www.transparency.org/whatwedo/publication/people_and_corruption_africa_survey_2015

Haydaroğlu, C. 2016. Corruption, Institutions and Economic Growth in Sub-Saharan Africa. *International Journal of Economic Research* 7, no. 1: 14–26.

Head, T. 2017, June 13. Bleak Economic Forecast Worsens as Moody's Downgrade SA's Top 5 Banks, Other Financial Powerhouses. *The South African*. Retrieved 14 June 2017, from https://www.thesouthafrican.com/bleak-economic-forecast-worsens-as-moodys-downgrade-sas-top-5-banks-other-financial-powerhouses/

Herman, P. 2017, June 22. Zuma: No Need for Secret Ballot, You Have Failed 7 Times. *News24*. Retrieved 20 June 2017, from http://www.news24.com/SouthAfrica/News/zuma-no-need-for-secret-ballot-you-have-failed-7-times

Higley, J. 2011. Elites. In *International Encyclopaedia of Political Science,* ed. B. Badie, D. Berg-Schlosser and L. Morlino, 760–65. Thousand Oaks: SAGE Publications.

Hochstetler, K. 2011. The Fates of Presidents in Post-transition Latin America: From Democratic Breakdown to Impeachment to Presidential Breakdown. *Journal of Politics in Latin America* 3, no.1: 125–41.

Human Rights Watch. 2017. *World Report 2017*. Retrieved 14 January 2018, from https://www.hrw.org/world-report/2017

Inakoju & 17 Ors v. *Adeleke & 3 Ors* 1 S. C. (pt I) (2007).

Jacobson, G. C. 1989. Strategic Politicians and the Dynamics of U.S. House Elections, 1946–86. *The American Political Science Review* 83, no. 3: 773–93.

Jombo, O. 2017, January 7. Let's Unite to Defeat Hunger, Poverty, Insecurity in 2017—Mark. *Nigerian Pilot*. Retrieved 8 January 2017, from http://nigerianpilot.com/lets-unite-defeat-hunger-poverty-insecurity-2017-mark/

Kada, N. 2003. The Role of Investigative Committees in the Presidential Impeachment Processes in Brazil and Colombia. *Legislative Studies Quarterly* 28, no. 1: 29–54.

Lancaster, L. 2016. *At the Heart of Discontent: Understanding and Responding to Protest and Election Violence in South Africa*. Institute for Security Studies (ISS). Retrieved 28 July 2017, from https://oldsite.issafrica.org/uploads/2016-07-26-Violence-Seminar-CT

Legislative Sector South Africa. 2012. *Oversight Model of the South African Legislative Sector*. Cape Town: Legislative Sector Support.

Mabena, S. 2017, July 2. We Vote for Other People to Live Nice-Unemployed Mpumalanga Man Bemoans. *TimesLive*. Retrieved 3 July 2017, from https://www.timeslive.co.za/politics/2017-07-02-we-vote-for-other-people-to-live-nice--unemployed-mpumalanga-man-bemoans/

Madison, J. 2008. Objection that the Number of Members Will Not Be Augmented as the Progress of Population Demands Considered. The Federalist Papers, No. 58. Lillian Goldman Law Library, Yale Law School, University of Yale, New Haven.

Mathiot, P., and J. Gervais. 2011. Elitism. Elites. In *International Encyclopaedia of Political Science,* ed. B. Badie, D. Berg-Schlosser and L. Morlino, 766–71. Thousand Oaks: SAGE Publications.

Mbowenu, O. 2017, April 3. S&P Downgrades South Africa's Credit Rating to Junk Status. *Mail & Guardian*. Retrieved 4 April 2017, from https://mg.co.za/article/2017-04-03-sp-downgrades-south-africas-credit-rating-to-junk-status

Messner, J. J. 2017. *Problems of the Rainbow Nation Viewed Across the Full Spectrum. Fragile States Index 2017—Annual Report*. Washington, DC: Fund for Peace. Retrieved 12 December 2017, from http://fundforpeace.org/fsi/

Mulgan, R. 2011 Accountability. Elites. In *International Encyclopaedia of Political Science,* ed. B. Badie, D. Berg-Schlosser and L. Morlino, 1–14. Thousand Oaks: SAGE Publications.

National Bureau of Statistics. 2017. Nigerian Gross Domestic Product Report (Q1 2017). Retrieved 12 December 2017, from http://www.nigerianstst.gov.ng

Nigerian Tribune. 2017, July 7. Recession: Getting the Shackles Off Our Feet. Retrieved 8 July 2018, from http://tribuneonlineng.com/recession-getting-shackles-off-feet/

O'Donnell, G. 2008. *Dissonances: Democratic Critiques of Democracy*. Notre Dame, IN: University of Notre Dame Press.

Oleszek, W. J. 2014. *Congressional Procedures and the Policy Process*. Thousand Oaks, CA: SAGE Publications.

Patience, M. 2017, August 31. Nigerian Economy Slips into Recession. *BBC News*. Retrieved 1 September 2017, from http://www.bbc.com/news/business-37228741

Perez-Linan, A. 2014. A Two-level Theory of Presidential Instability. *Latin American Politics and Society* 56, no. 1: 35–54.

Price Waterhouse and Coopers. 2016. Impact of Corruption on Nigeria's Economy. Retrieved 4 August 2017, from http://www.pwc.com/ng/en/assets/pdf/impact-of-corruption-on-Nigeria-economy.pdf

Public Protector, South Africa. 2014. Secure in Comfort: Report of the Public Protector. Retrieved 7 August 2017, from http://www.pprotect.org/

———. 2016. State of Capture: A Report of the Public Protector. Retrieved 7 August 2017, from http://www.pprotect.org/

Rose-Ackerman, S. 2017. What Does 'Governance' Mean? *Governance: An International Journal of Policy, Administration, and Institutions* 30, no. 1: 23–27.

Schedler, A. 1999. Conceptualizing Accountability. In *The Self-restraining State. Power and Accountability in New Democracies*, ed. A. Schedler, L. Diamond and M. F. Plattner, 13–28. London: Lynne Rienner Publishers Inc.

Statistics South Africa. 2017a. The South African Economy Shrinks by 0.7%. Retrieved 7 June 2017, from http://www.statssa.gov.za/?p=9989

———. 2017b. Quarterly Employment Statistics March 2017. Retrieved 8 August 2017, from http://www.statssa.gov.za/publications/P0277/P0277March2017.pdf

The Constitution of the Federal Republic of Nigeria, 1999, as Amended. Abuja: Federal Government Printer.

The Constitution of the Republic of South Africa, 1996, as Amended. Pretoria: Government Printer.

This Day. 2016, March 14. South Africa, Nigeria: African Giants Battle for Economic Supremacy. Retrieved 12 April 2017, from http://www.thisdaylive.com/index.php/2016/03/14/safrica-nigeria-african-giants-battle-for-economic-supremacy/

Trading Economics. 2017a. South Africa Unemployment Rate, 2000–2017. Retrieved 12 August 2017, from https://tradingeconomics.com/south-africa/unemployment-rate

———. 2017b. Nigeria Unemployment Rate, 2000–2017. Retrieved 12 August 2017, from https://tradingeconomics.com/nigeria/unemployment-rate

Transparency International. 2016. Corruption Perceptions Index. Retrieved 20 December 2016, from www.transparency.org/cpi

United Democratic Movement v. *Speaker of the National Assembly and Others* ZACC 21 (2017).

United Nations Development Programme (UNDP). 2016. *Human Development Report 2016*. New York: United Nations Development Programme. Retrieved 14 June 2017, from http://hdr.undp.org/ (accessed on 14 June 2017).

Vanguard, 2016, August 8. Nigeria's GDP Loss to South Africa. Retrieved 25 August 2016, from http://www.vanguardngr.com/2016/08/nigerias-gdp-loss-south-africa/

Vegter, I. 2017, May 2. Corruption May Be Less Serious than We Think. *Daily Maverick*. Retrieved 10 May 2017, from https://www.dailymaverick.co.za/opinionista/2017-05-02-corruption-may-be-less-serious-than-we-think