

## **Meeting the Information Needs of Legislators through Records Availability in State House of Assemblies in Nigeria**

---

**<sup>1</sup>Hamza Mohammed, <sup>2</sup>Mustapha Idris, <sup>3</sup>Muhammadou Basirou Arabou & <sup>4</sup>Galy Mohamadou**

<sup>1</sup>*Department of Library and Information Science, Institute of Education  
Ahmadu Bello University, Zaria, Nigeria*

<sup>2</sup>*Kano State University of Science and Technology (KUST) Library*

<sup>3</sup>*Sciences of Education Department, University of Maroua Cameroon Republic*

<sup>4</sup>*University of Maroua, Cameroon Republic*

---

### **Abstract**

**T**his study attempts to provide an insight into the roles being played by records in the activities of a legislator. The paper explores the concept of legislature; also gave an insight into Nigerian legislature; the function of legislators; the concept of records; the information needs of the legislators; records generated by the legislative houses. The paper concluded that if the records and information needed by the legislators are carefully and properly matched to suit their needs, then effective and efficient services from the legislators would be achieved. This is particularly when relevance and timeliness of the records is taken into cognizance.

**Keywords:** *Legislature, Information needs, Records*

*Corresponding Author:* Hamza Mohammed

### **Background to the Study**

Legislators are the particular types of people that need records and information to enable them perform their duties creditably without any hindrance. Therefore understanding their information needs is of paramount importance, this is in addition to the identification of records they needed for their day-to-day activities, and also making it available to them. The concept of information in an organizational sense is more complex and difficult than the frequent use of this common word would suggest. Information is data that has been interpreted and understood by the recipients of message. It will be noted here that the user and not just the sender is involved in transformation of Data into information.

In an unmanaged records environment, much of staff time is spent looking for information. Then there are the security risks that come with an unmanaged system. If you do not know what information you have and where it is, then how would you know if someone takes it, loses it or destroys it? A poorly managed records system makes the performance of duties difficult, costs the organization money and resources and makes the establishment vulnerable to security breach, prosecution and embarrassment. A systematic management of records enables state legislators to conduct their businesses in an orderly, efficient and effective manner. Good records management ensures continuity in times of disaster, protects the interest of government and the stake holders. It also promotes efficiency and economy within the legislative arm of government.

### **Concept of Legislature**

The Legislature is a branch of government empowered to make, change, repeal its laws, to levy and regulates its taxes (Ake 1981). Most modern legislature is composed of many members who are chosen directly or indirectly through popular votes. The Legislature that provides direct representations is usually considered more democratic in practice because they are less susceptible to being dominated by a single faction. Thomas (1995) added that various legislatures throughout the world were known by different names, such as Congress, Parliament, Knesset, Diet and Assembly. Most are limited in their powers by constitution or organic law of government, which they are part. The enactment of the US Congress, for example, can be vetoed by the President and the Congress must approve by two-third majority any bill it wishes to pass despite a Presidential veto. The British parliament on the other hand, chooses its own Prime Minister and Cabinet, who are ultimately responsible for all their administrative actions. Being legislative as executive or administrative leaders, these officials have considerable power to initiate and influence legislation desired by their administrative department.

### **The Nigerian Legislature**

Arise (2011) narrated how Nigeria's federal legislature has been both a product and a victim of political engineering by the successive military governments that ruled the country in its first 50years of independence. Starting in the pre-independence and immediate post-independence years with a bicameral legislature in a British style parliamentary government, it evolved into an American type Congress or National Assembly under a presidential democracy. With every change of system of government has come a different configuration of the legislature. With every change of Constitution have come new units of representation.

### **Functions of the Legislators**

The primary aim of the legislature is to make, revised, amend and repeal laws for the interest of the citizens (Chris, 1999). It could also be advanced as the center of discussion about policies, programs and a place where important decisions concerning the states affairs are made. In concept or doctrine of separation of powers in a state that the three basic function of government which are performed by three separate and independent organs or arms of Government. The three basic functions are: Law making, Execution and adjudication. In essence, it means that:

1. No one person could be part of more than one of division at a time.
2. No one division or arm could dominate or control others.
3. No branch or division could attempt to exercise the function of the other e.g. The Governor cannot make law or the legislature cannot make, interpret or adjudicate (FGN, 1999). The constitution of the Federal Republic of Nigeria clearly assigned basic roles of governance to each of the three arms as earlier mentioned.
  - I. Section 4 of the Nigerian Constitution conferred law making powers on National Assemblies and State House of Assemblies.
  - II. Section 5 provides that the Executive powers are vested on the President/Governors or deputy Governors or Minister/Commissioners i.e. the Executive arm.
  - III. Section 6 provides that judicial powers are vested in the courts (the judges).

In practices, however, experience has shown that complete separation of power is in-practicable (Abubakar 2001). The legislature therefore is the arm of government or the organ that is responsible for making, revising, amending and repealing of law for the advancement and well-being of the society (Chris 1999). These functions include;

### **Approval of Executive and Judicial Appointment**

The President or the Governor of a State in a federal system is required by constitution to submit the names or of his executive and judicial nominations to the legislature for screening and approval before confirmation or announcing them as such.

### **Approval for Public Spending**

The constitution provides that public money cannot be raised or spent without legislative approval. This is why the Governor annually presents his proposal or budgets to the legislature for approval before it can be enforceable.

**Power to Conduct Investigation and Resolved Conflicts:** The legislature has a constitutional power to investigate executive actions and private wrong doing. This place ranked the legislature on a vital or important position. It can therefore register public opinion and grievances that is why most nagging private and public problems are addressed through the legislature in form of protest march, petitions in private and public capacities or even demonstration. This action earned the legislature the position of guardian of democracy and protector of citizen's right.

### **Impeachment and Judicial Function**

Section 88 of the amended 1991 constitution empowered the state house of assembly to remove a Governor or deputy on impeachable offences or gross misconduct which may means a great violation or breach of the constitution. Therefore when a house of assembly is

exercising its constitutional role in a matter relating to proceedings on impeachment, the house is performing judicial functions.

### **Electoral Role**

Section 181 (1) of the Nigerian constitution also empowers a state house of assembly to by a simple majority, approve the deputy governor of the state to assume office of the Governor where the Governor elect died or was unable to be sworn in, in the case of any circumstances. The house of assembly can also make laws bordering on proceedings to regulate elections in the local governments. An example is where Goodluck Jonathan was sworn in when Umaru Musa 'Yar'adua died as president.

### **Check Members Attitude**

The legislature is also empowered by the constitution to ensure and apply measures of reprimand e.g. suspension, fine, expulsion and outright condemnation of its members for improper conduct. For example, the Kaduna state house of assembly expelled its former speaker Hon. Z. U. Bashir in 2005. Another function performed by the legislature is the passing of bills. A bill is not a law until it is signed into law by the executive. A bill can be described as a proposal of action discussed in the parliament and later signed to become a law by the president or Governor of the state. There are three types of bills which are as follows:

### **Public Bills**

This is a bill that has to do with the issues confronting the country or state. It is usually a bill proposed by the executive arm of government.

**Private bills:** A bill introduced by a parliamentarian or a law maker.

### **Money Bill**

A bill that informs on how government involves itself in raising and spending of money (budget). This bill is introduced by the executive arm of government. Consequently, a bill could only become a law in the parliament through the following procedures:

### **First Reading**

This is the first stage of the bill, here, the bill is presented unnoticed and it is required that its title being read by the Clerk of the House. At this point, no opposition is registered and the bill printed in copies for members to study.

### **Second Reading**

At this stage, the bill is presented before the House and the member's debate on the general principles of the bill, if the bill is successful after the member's views and opinions, the bill then pass to the appropriate committee for detailed discussion with a time frame to work on the bill. The committee concerned is also expected to go and make some amendments where necessary. The committee then brings back the bill before the house to deliberate on, at this stage, all the amendments will be read and adopted if accepted by the two third majority of the house, the bill will be sent to legal drafting department who will fashion it out and make a clear copies of the bill for third reading.

### **Third Reading**

At this stage, only verbal amendment will be made. Here the bill is passed into law or rejected after thorough examination is done on the bill.

### **Concept of Records**

As various records are constantly produced through the day-to-day activities of organizations Wyorkson & Obasuyi (2010) defined records as “evidence of an event”. It is a document of an activity that will or has taken place. Records are documentary evidence about a person, place or thing. Every piece of record contains information. A record therefore is a piece of recorded information. Similarly, International Standard Organization ISO (2001) as cited in Oyedokun (2010) also defines record as information created, received and maintained as evidence and information by an organization or person, in pursuance of legal obligations or in the transaction of business or government activities. Records according to the Federal Military Government of Nigeria Decree Number 30 (1992:21) means:

*All papers, registers, printed matters, books, maps, plans, photographs, microfilm, cinematographic films, sound recordings or other documentary materials regardless of physical form or characteristics made or received by public or state offices, or by business houses of companies private bodies or individuals in pursuance of their legal obligations or in connection with transaction of their proper business, but does not include library or museum material made or acquired solely for reference or exhibition purposes, extra copies of record kept only for convenience of reference or stock of publication.*

### **The information needs of the legislators**

The concept of information needs, is too complex for a generally acceptable definition, that is, there is no consensus as to what constitute information needs. Crawford (1978) reiterated these difficulties when he reported that there seems to be a general agreement that information needs is a difficult concept to define, isolate and especially measure. According to him information needs involves a cognitive process which might not be clear to the enquirer himself. Haruna and Mabawonku (2001) opined that information needs arise when the state of possessed knowledge is less than that needed to deal with some issues and concluded that information needs are diverse, constantly changing and not amenable to generalization. However, information needs can be described as what a user requires for the gratifications of his urge, even though he may not be able to translate it into a demand. Folorunsho and Haruna (2005) studies the relationship between work activities of legislators and their information needs they found out that legislators need information to enhance their performance. Each member of the house has a unique background and solely represents an electoral constituency, which may differ demographically. Others may have social, political or parliamentary needs.

Their needs are thus sometimes quite distinct from their collective needs as members of identifiable political parties at any one time or the other; members may have multiple information needs at varying depth and quality, according to specific issues. Mohammed (2006) Further Elaborates that legislators are busy group of people engaged in all sorts of legislative functions and activities within and outside their legislative and constituencies aimed at serving the country better so as to ensure that it is strategically located and sustained.



This presupposes that they need every bit of information identified to be relevant for the success of their works in their palms or finger tips. In effect therefore the need for the provision of records and any Information material to the legislators become necessary. If possible records in the legislative houses be digitized and made available to the legislators online 24 hours seven days. Abubakar (2000/2001) in his analysis of information Needs of Nigerian Legislators: found out that apart from local media the legislators prefer to source their information from foreign media. This is because the electorate used to air their grievances through the foreign media since local media are government controlled media and mostly censored if what is it to be aired. He also discovered that Nigerian legislators always consult constitution before proposition, passing and defending a motion. It became easier for legislators to use the constitution since it is translated into major three local languages. Bain (1996) note that the key to an effective legislature is knowledge and information that permit it to make informed decision on specific issues and to play active roles in the policy making process of the state, Ajayi and Akinniyi (2004) found frustration among information seekers due to non-availability of sources.

It can also be argued that any issue that was not supported and passed by the house can easily be challenged in the court of law as supported by Jamo (2001) that it is Constitutionally wrong for a motion to be passed without supporting it by the relevant section of the law these can only be obtained if such records of the available laws are provided. Buckland (1975) analyzes frustration felt by users who fail to find the information sources they want in the library-situation. He outlines four relationships between the user and availability of sources which are:

- 1- The greater the popularity, the lower the immediate availability
- 2- The longer the loan period the lower the immediate availability, the shorter the loan period the higher the availability.
- 3- The greater the popularity, the shorter the loan period has to be and the less the popularity, the longer the loan period can be.
- 4- Increasing the number of copies available, like shortening the length of loan period increasing the immediate availability.

When taken into consideration the above discussion, will help in developing policies of Records Management in State House of Assemblies and will go a long way in increasing Government accountability in the State. There are many road blocks preventing proper records management to be developed and implemented in the state, including proper training for staff, lack of funding and failing infrastructure. If these issues are not dealt with, no significant progress will be made to move the state like any other within the country with a better records management policy.

### **Records Generated by the Legislative House**

Legislative house as one of the arm of government also generated some kinds of records in the process of their survival. Some of these records include:

#### **Bills**

A bill is a proposal of action discussed in the state legislative house and is only waiting for the governors or the executives to sign it into law

**Committee Report**

This refers to all reports usually written by the committees instituted by the house to investigate and submit it to the house on completion of their task.

**Motions**

Motions are raised by the legislators on issues that borders on their interest particularly issues on the state and their individual constituencies

**Records Required by the Legislative Houses**

These are records and information that are pertinent to the activities and functions of the Legislators; they include the following:

**Biographies**

These contain the biographies of some important dignitaries within and outside the state. This will help the legislators in screening persons for appointment by the executive arm of government.

**Previous Approved Annual Budget**

The records of previous budgets are vital sources of information to the Legislators; it would help them to observe differences between the previous and the current budget proposals; it will help them to decide and or agrees with the current budget request by the executives, it also enables them to investigate whether the executives has judiciously used the money for the purpose in they are approved.

**The Constitution**

The constitution is constantly consulted by the legislators so that decisions, actions and bills might not be challenged in the courts.

**Petitions**

Petitions are received by the legislators from people who have grievances, disagreement or dispute over some issues in the state.

Records according to Adikwu (2007) are referred to as those records created by agencies of the state and legally defined as such. A necessary function of Government is the creation of records to move its various functions and business processes forward. Thus, democracy and the open government it often require that records be available to the public so that they may account for the legal, managerial, or constitutional conduct of Government. Public records serve multiple purposes in ensuring the accountability of government. They document the ownership of state property. They support legislative intent; public records measure the economic and social health of the State. They evaluate the impact of the state programs. They also allow a citizen to document or discover actions taken in his or her name. Public Records are valuable, integral element of an efficient and accountable government.

State houses of assemblies like any other legislative houses are saddled with responsibilities of Law making. A part from the primary responsibilities, the legislature is also engaged in executive and judicial functions with a view of checking the executive and shaping public policies for the benefit of the state. Records being a primary source of meeting the information

needs can be either traditional or electronic in format. They exist to provide evidential, research, Educational and Legal values. Legislators need records when supporting and or rejecting (opposing) a motion.

Records are required when Legislative committees are set to do something or while conducting their assignments, when screening a particular person for appointment by the executive arm of government. The legislators' need a biography of that personality to enable them permits the executive arm to appoint him. Also record shows how credible a person is in terms of his character and ability. Records like the annual budgets of the previous years are kept as records to be consulted when they want to observe differences between previous and the present.

### **Conclusion**

This study concludes that legislator's needs records in either electronic or paper formats to enable them execute their jobs creditably. If records generated or received are made available to the legislators, it would then enable them to provide an effective and efficient legislation. Their functions would serve as a yard stick for the identification of their information needs. Information needed by legislators has been the bedrock upon which their performance is measured.

### **References**

- Abubakar, T. (2000/2001). An analysis of the Information needs of Nigerian Legislators: A case study of selected states, Zaria. *Journal of Librarianship*, 4
- Adikwu, C. C. A. (2007). *Basic archival terminology and setting up records centers*. Samaru, S. Asekome and Co.
- Aguolu, C. C. & Aguolu, I. E. (2002). *Libraries and information management in Nigeria*. Maiduguri: Ed- Informs Services.
- Ajayi, N. A. & Akinniyi, A .R. (2004). Accessibility of health information to primary health care workers in some selected local government's areas in Nigeria. *Owena Journal of Library and Information Science*, 1(2), 31-38.
- Ali, A. (2006). *Conducting research in education and social sciences*. Enugu: Taashiwa Network Ltd.
- Arise, A. (2011). *Representing Ekiti North senatorial district, federal republic of Nigeria*. At [http://www.senatorarise.com/about\\_him.html](http://www.senatorarise.com/about_him.html). Accessed on 6th December, 2011.
- Bain, R. (1996). *Parliamentary libraries and information services of Asia and pacific*. Paper presented at the 22<sup>nd</sup> IFLA conference, Beijing China, August, 23<sup>rd</sup> -31<sup>st</sup>
- Buckland, M. (1975). *Book availability and the library user*. New York: Pergamum Press
- Chris, A. (1999). *Modern political analysis*. India: Prentice Hall of India p.3-5.
- Craw field, S. (1978). Information Needs and use. *Annual Review of Information Science and Technology*, 26(2), 10-12.



- Folorunsho, A. L. & Haruna, I. (2005). Relationship between work activities of Legislators and their information needs. *Educational Forum*, 8, 41-45
- Haruna, I. & Mabawonku, I. (2001). Information Needs and seeking Behavior of legal practitioners and challenges to Law libraries in Lagos, Nigeria. *International library Review*, 33, 7889.
- Jamo, M. (2001). Nigerian Constitution and its practicability. *Journal of Constitutional Law*, 12 (2), 36
- Mazikana, C. (2000). *The cost of failure of African nations to manage records effectively*. Online Available from: [http://www.acarm.org/publications/\\_Costs.html](http://www.acarm.org/publications/_Costs.html) (Accessed) December, 10th 2010).
- Mohammed, Z. (2006). *Library and information services for the legislature information manager*, 6 (1&2), 13-15
- Oyedokun, A. O. (2010). Records management and security. <http://www.rimaw.org/documents/records/o20Management/card%20security.pdf> (accessed: 11<sup>th</sup> October, 2010.)
- Thomas, R. (2002). *Understanding public policy*. New Jersey: Prentice Hall, pp. 56-57
- Wyorkson, M. A. & Obasuyi, L. (2010). *Records and information management for effective governance in Nigeria: The role of the library*. Zaria: Department of Library and Information Science A.B.U. Zaria