

THE ADMINISTRATION OF NIGERIA'S FOREIGN POLICY AND THE IMPLICATIONS FOR NATIONAL DEVELOPMENT

A Festschrift in Honour of Prof. Hassan A. Saliu

Editors

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PREFACE

The literature on Nigeria's foreign policy is very rich, with some of the works so compelling in their methodological rigour, pristine analysis, and policy relevance. This may not be too much of a surprise, though, given that the country has now been in the vortex of global politics for the past 65 years, and very active there in too, in some of these years. The Nigerian higher education system, especially the universities, have also done quite well in training crops of foreign policy researchers and practitioners, across generations; many of whom continue to display impressive levels of engagement with the subject, its theory and praxis alike.

Even so, we are always very excited to receive information on additions to these impressive corpuses, for at least one reason. It is trite that every new arrival brings something fresh to the scholarship on Nigeria's foreign policy. This is the sense in which we welcome this *Festschrift*, put together by the Nigerian Political Science Association (NPSA), to honour Hassan A. Saliu, a very distinguished professor and Political Scientist, who has done so much to extend the frontiers of knowledge in the domain of International Relations in general, and Nigeria's foreign policy in particular.

The good thing about Professor Saliu's works is that they cover the entire gamut of Nigeria's foreign policy, since the country made its debut in 1960 on the global stage. This fact is reflected in the outlay of the *Festschrift*, which addresses subjects on Nigeria's foreign policy as diverse as its engagements in Africa, the role of the parliament in the foreign policy process, soft power dimensions of the country's foreign policy, its outlook on climate change and global security, and a whole lot of the country's bilateral relations across the world. Without doubt, the comprehensive nature of the book reflects the broadness and depth of Saliu's scholarship on Nigeria's foreign policy, making it a very appropriate notation of his contribution to this genre of knowledge.

As a fact, the global system is becoming increasingly complex, complicated and dynamic. It is made more so by the changing tenor of democracy in some of the more established democracies, epitomized by President Donald Trump's United States, and the seismic disruptions underway in a global order in place since World War II. Significantly, these are triggered by a country, which arguably, has benefited most from this order. Countries like Nigeria must begin to quickly figure out how to negotiate the incipient complexities. They must begin to innovate, re-examine their place in the scheme of things, and think more seriously about how to deploy foreign policy in the service of their national interests in more ways than they had ever done. This is the only realistic pathway to survival as the global system rapidly slides into the regime of protectionism, of the cast that threw the global economic system into depression in the late 1930s through the early 1940s.

The foregoing makes this compendium most apt, not just in terms of the timing of its appearance; but indeed, the vastness of the topics covered, issues interrogated, and perhaps most importantly, compelling intellectual profile of a good number of the chapter contributors. It is, therefore, with so much enthusiasm that we welcome “*The Administration of Nigeria's Foreign Policy and the Implications for National Development: A Festschrift in Honour of Prof. Hassan A. Saliu,*” to the platform of engagement with Nigeria's foreign policy.

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CHAPTER SIX

THE ROLE OF THE NATIONAL ASSEMBLY IN THE ADMINISTRATION OF NIGERIA'S FOREIGN POLICY AND INTERNATIONAL TREATIES

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Introduction

Foreign policy is a critical instrument through which nations engage in diplomacy, trade, security collaborations, and global governance. It defines a country's interactions with other states and international organizations, shaping its global influence and national development. Prior to the return to democratic rule in 1999, the long years of military rule made the administration of foreign policy to be primarily an executive function, with the Head of State/President and the Ministry of Foreign Affairs playing central roles (Osondu-Oti & Tolu, 2016; Fineman, 2019; and Ahmed, 2020). However, the return to democracy in 1999 transformed the landscape, expanding the role of the National Assembly in the country's foreign policy administration (Adewumi & Babajide, 2021). This transition from military to civilian rule marked a shift from an executive-dominated approach to a more participatory model, where legislative oversight, treaty ratification, budgetary approvals, and diplomatic engagements became key functions of the legislature (Adewumi & Babajide, 2021).

It is on this note that Osondu-Oti and Tolu (2016) further stated that, although the sphere of foreign policy formulation and implementation is reserved for the executive in Nigeria, the National Assembly holds significant powers, as granted by the constitution, over foreign policy issues. This submission was collaboratively supported by Arowosegbe and Akomolafe (2016), who stated that the National Assembly exercises its foreign policy-making powers through several legislations that have implications for foreign relations, including treaty implementation, approving appointments made by the president, and public finance control, among others.

The 1999 Constitution of Nigeria (as amended) provides a legal framework for legislative participation in foreign policy. Sections 12, 19, and 88 provide the

constitutional framework for legislative involvement in international affairs. These provisions empower the National Assembly to approve treaties, oversee the implementation of foreign policy, and ensure that Nigeria's international engagements align with national priorities (CFRN, 1999; Oni, Olarenwaju, and Deinde-Adedeji, 2019). For instance, Section 12 of the CFRN states:

No treaty between the Federation and any other country shall have the force of law except to the extent to which any such treaty has been enacted into law by the National Assembly.

This provision underscores the legislative authority in treaty ratification and domestication. While the executive, comprising the President and the Ministry of Foreign Affairs, negotiates and signs international treaties, the National Assembly must approve and pass them into law before they become enforceable in Nigeria (Adewumi & Babajide, 2021).

It is on this basis that the National Assembly has recorded significant achievements in advancing Nigeria's foreign policy. It has facilitated the ratification of key international agreements, such as the African Continental Free Trade Agreement (AfCFTA), and has played a critical role in peacekeeping decisions, military deployments, and Nigeria's participation in regional and global institutions (Nigeria National Assembly, 2016; Osondu-Oti & Tolu, 2016).

Despite these constitutional roles, the National Assembly faces several challenges in executing its foreign policy functions. These include executive dominance in international affairs, bureaucratic inefficiencies in the domestication of treaties, limited legislative expertise in foreign relations, and political interference. Additionally, delays in approving international agreements and inadequate collaboration between the executive and legislative arms often undermine Nigeria's effective participation in global governance.

This chapter examines the role of the National Assembly in the administration of Nigeria's foreign policy and international treaties. The chapter is structured into four interrelated parts, starting with the introductory session. Part two concerns the literature review and theoretical framework in which the study is situated. Section three highlights the progress made, and the challenges encountered and part four is the concluding remark and potential reforms needed to strengthen legislative influence in foreign affairs

Review of Literature

The Legislature

The legislature is a key actor in a democratic system. The legislature, according to Prakash and Yoo (2016), is any institution authorized to make laws for the smooth

running of governance administration. Truex (2014) opines that the legislature is the most important and fundamental arm of a democratic system. They formulate policies by bringing together in a setting views that have contrasting and competing options, in an attempt to introduce a reasonable compromise to create policies that affect the people they represent. Thus, legislatures are typical of democratic institutions. According to McQuade (2021), legislatures are political bodies in which individuals are elected as the people's representatives to interact with one another in accordance with specific modes, in order to produce updated legislation. The purpose of enacting legislation is to benefit society. Weis (2020) opines that the legislature does not have an institutional role but rather a constitutional office. According to him, "constitutional office" involves the delegation of constitutional powers to exercise authority for specific constitutional purposes. Thus, the "legislative office" is far beyond the powers the constitution has vested in the legislature; its key concern is the conduct of the legislature as it relates to such powers and the manner in which the legislature exercises such powers. The legislature has an inherent advantage in cultivating a legitimate government by providing services to citizens (Sanborn, 2019). The legislature carries out four key functions worldwide: representation, lawmaking, budgeting, and oversight (Bakare, 2023; Mustafa & Sharifov, 2018). It is the collective voice of the people

Foreign Policy and International Treaties

Foreign policy refers to a country's strategic approach in managing its relationships with other nations, international organizations, and non-state actors in the global arena. It encompasses diplomatic, economic, security, and political interactions that aim to protect national interests, enhance economic growth, and promote global peace and cooperation (Viotti & Kauppi, 2012). Foreign policies, according to Amadi (2016), are the guidelines, methods, and strategies that nation-states use to carry out their interests in the global arena. A set of principles and programmes that direct the actions of sovereign states in their relations in the international system, usually with the aim of influencing the actions of other sovereign states. Offor, Nwankwo, and Elechi (2019) argue that foreign policy encompasses all decisions, actions, or interactions among actors in the international system, aimed at facilitating political, economic, or socio-cultural cooperation. They argue that foreign policy encompasses the international goals of a country and the strategies it employs to achieve these goals in its interactions with other countries worldwide. Likewise, Bojang (2018) argued that the basic element conceived into a course of action in attaining and preserving the goals and interests of a state is foreign policy. According to Ahmed (2020), foreign policy is intended to achieve several categories of objectives for states; nonetheless, the commonly pursued objectives by all include the nation's prestige, preservation of territorial integrity and political independence, and the country's economic well-being.

Foreign policy decisions are influenced by both domestic factors, such as economic priorities, political leadership, and national security concerns, and external factors, including international law, alliances, and global economic trends (Alden & Aran, 2017).

Nigeria's foreign policy is shaped by its historical, geographical, and economic realities, with a strong emphasis on African unity, regional cooperation, and non-alignment (Fawole, 2004). Since independence in 1960, Nigeria has pursued foreign policies that focus on decolonization, regional integration, peacekeeping, and economic diplomacy (Ojo, 1999).

On the other hand, international treaties are legally binding agreements between two or more countries or international organizations. Treaties govern a wide range of issues, including trade, security, environmental protection, and human rights (Okoth, 2010). Treaties can be bilateral (between two states) or multilateral (among multiple states or international bodies such as the United Nations or African Union) (Nzomo, 2016).

In Nigeria, the process of treaty-making and domestication is subject to legislative approval. According to Section 12 of the 1999 Constitution, no treaty shall have the force of law in Nigeria unless it is enacted by the National Assembly (CFRN, 1999). This constitutional provision ensures that international agreements align with domestic laws and national interests.

Legal Framework Guiding Nigeria's Foreign Policy

Nigeria's foreign policy is governed by several constitutional and legal instruments, including the 1999 Constitution, the Treaties Act, and international agreements. These frameworks outline the responsibilities of the executive and legislative arms of government in shaping and implementing foreign policy. According to the 1999 Constitution (as amended), sections 12, 19, and 88 provide the constitutional framework for legislative involvement in international affairs. These provisions empower the National Assembly to approve treaties, oversee the implementation of foreign policy, and ensure that Nigeria's international engagements align with national priorities (CFRN, 1999; Oni, Olarenwaju, and Deinde-Adedeji, 2019).

This provision of Section 12 CFRN (as amended) underscores the legislative authority in treaty ratification and domestication. While the executive, comprising the President and the Ministry of Foreign Affairs, negotiates and signs international treaties, the National Assembly must approve and pass them into law before they become enforceable in Nigeria (Adewumi & Babajide, 2021). Furthermore, section 19 of the Constitution, as amended, outlines Nigeria's foreign policy objectives, which serve as a guiding framework for the National Assembly in its oversight functions. The section states that Nigeria's foreign policy shall be based on:

- a) Promotion of national interest
- b) African unity and integration
- c) Respect for international law and treaty obligations
- d) Peaceful dispute resolution
- e) Promotion of a just world economic order

It is in this regard that the Nigerian National Assembly plays a role in ensuring that Nigeria's foreign engagements align with these objectives, particularly through its committees on foreign affairs and international relations (Olarenwaju & Deinde-Adedeji, 2019). In addition to these, Section 88 of the Constitution, as amended, grants the National Assembly the power to investigate and oversee the activities of government agencies, including those involved in foreign relations. It states:

Each House of the National Assembly shall have power...
to direct or cause to be directed an investigation into any
matter... with respect to the execution or administration
of laws enacted by the National Assembly (CFRN, 1999).

This provision, by extension, allows the legislature to scrutinize foreign policy decisions and ensure they align with national interests. Summon ministers and diplomats to account for Nigeria's foreign relations strategies, and monitor Nigeria's diplomatic missions and Foreign Service operations (Ahmed, 2020).

It is on this basis that the National Assembly has recorded significant achievements in advancing Nigeria's foreign policy. It has facilitated the ratification of key international agreements, such as the African Continental Free Trade Agreement (AfCFTA), and has played a critical role in peacekeeping decisions, military deployments, and Nigeria's participation in regional and global institutions (Nigeria National Assembly, 2016; Osondu-Oti & Tolu, 2016).

Another legal instrument for the making of international engagement is the Treaties (Making Procedure, etc.) Act (Cap T23 LFN 2004). The Treaties Act outlines the procedure for treaty-making, domestication, and enforcement in Nigeria. It categorizes treaties into three types:

1. Treaties requiring approval by the National Assembly (e.g., defense, security, and environmental agreements).
2. Treaties requiring only executive approval (administrative agreements with minor international implications).
3. Treaties requiring ratification by a designated authority, such as regional and technical agreements.

This Act ensures that major international agreements receive legislative scrutiny before they become binding on Nigeria (Nigeria National Assembly, 2014). Other laws and international conventions that guide Nigeria's foreign policy include:

- a) Vienna Convention on the Law of Treaties (1969) – Defines global treaty-making processes.
- b) African Union (AU) Constitutive Act (2000) – Outlines Nigeria's role in regional diplomacy.

- c) United Nations Charter (1945) – Establishes principles guiding Nigeria's participation in global peacekeeping and diplomatic engagements.

The point and the message to convey here are critical. Critical in this sense, Nigeria's foreign policy is legally structured to ensure executive responsibility and legislative oversight. The 1999 Constitution and the Treaties Act create a framework that balances Nigeria's international commitments with its national interests and democratic accountability. By enforcing these legal provisions, Nigeria strengthens its position in global affairs while ensuring that foreign engagements benefit its people.

Theoretical Perspectives on Foreign Policy and International Treaties

Foreign policy analysis relies on several theoretical frameworks that explain how states interact in the international system. Three major theories—Realism, Liberalism, and Institutionalism—offer different perspectives on how Nigeria's National Assembly engages in foreign policy and international treaties. These theories offer insights into the motivations, constraints, and mechanisms that shape the process of making and implementing foreign policy decisions. This study reviews the institutional theory and adopts it as a guide to the study

Institutional Theory

Institutionalism focuses on the role of rules, norms, and institutions in shaping international relations. It argues that international institutions reduce uncertainty, facilitate cooperation, and create stability in foreign affairs. Key proponents of institutionalism include John Ruggie (1998), who studied how international norms shape state behavior. Additionally, Robert Keohane (1984). Keohane argued that institutions help states cooperate despite competition, while Douglass North (1990), another prominent scholar of institutionalism, demonstrated how institutions reduce uncertainty in economic and political interactions. The basic assumptions of Institutionalism are as follows:

1. **Institutions Matter** – Organizations such as the UN, WTO, and ECOWAS create rules that shape state behavior.
2. **Norms and Agreements Shape Policy** – Countries adhere to international laws and agreements to maintain their credibility.
3. **Institutions Reduce Transaction Costs** – They make negotiations easier by providing standardized procedures.
4. **Long-Term Cooperation is Beneficial** – Institutions encourage states to work together beyond short-term gains.

From the above, it is clear and obvious that institutionalism as a theory provides a clear framework for understanding international cooperation. Not only that, but also, as argued by Saliu (2020), it explains why states comply with international agreements and further highlights the role of global governance institutions.

Though the theory is not devoid of criticism, as its opponents criticise it for failing to assume that states will always follow rules, even when it goes against their interests, the theory was also criticised for not fully explaining why powerful states sometimes ignore institutions (e.g., the US withdrawal from the Paris Climate Agreement and Israel's refusal to abide by the United Nations resolutions). Despite these flaws, the institutionalist theory still stands the test of time and is still relevant to the contemporary reality, and as such cannot be relegated to the background

Application of Institutionalism to the Study

Institutionalism explains Nigeria's adherence to international treaties, trade agreements, and inter-parliamentary diplomacy by emphasizing the role of rules, norms, and institutions in shaping foreign policy. The theory asserts that international organizations and legal frameworks create structured environments that influence state behavior, ensuring compliance with established global standards.

In the context of this study, Nigeria, through its National Assembly, ratifies and domesticates treaties such as the Rome Statute and ECOWAS protocols to align with its international legal obligations. The theory highlights how Nigerian states uphold such commitments to maintain diplomatic credibility. Furthermore, Nigeria benefits from WTO membership by accessing global markets and investment opportunities, demonstrating how institutional frameworks facilitate cooperation and economic growth. In addition, Nigeria's participation in the Inter-Parliamentary Union (IPU) and Pan-African Parliament (PAP) reflects institutionalist principles, where structured international bodies enhance cooperation, dialogue, and legislative influence on global policies. Thus, Institutionalism provides a theoretical foundation for understanding how Nigeria engages with international systems, ensuring that its foreign policy decisions align with global governance mechanisms while safeguarding national interests.

The Role of the National Assembly in Foreign Policy Administration

The National Assembly plays a crucial role in shaping Nigeria's foreign policy through its legislative functions, oversight responsibilities, and budgetary control. While the 1999 Constitution does not explicitly define the legislature's role in foreign policy, it grants the National Assembly broad powers that influence Nigeria's international engagements. These powers include legislative oversight on foreign policy decisions, treaty ratification and domestication, budgetary allocations for foreign missions and diplomacy, and parliamentary diplomacy. These functions serve as mechanisms through which the legislature ensures that Nigeria's foreign policy aligns with national interests, democratic accountability, and international commitments.

One of the key responsibilities of the National Assembly in foreign policy administration is legislative oversight of foreign policy decisions. The 1999 Constitution, under Section 88, empowers the legislature to investigate government departments, ministries, and agencies responsible for implementing foreign policy. This oversight role ensures that

foreign policy decisions and actions taken by the executive comply with constitutional mandates and national interests (Osondu-Oti & Tolu, 2016). The power of legislative oversight was evident in 2017 when President Muhammadu Buhari deployed Nigerian troops to The Gambia without prior approval from the National Assembly. The military intervention aimed to enforce the ECOWAS-backed removal of former Gambian President Yahya Jammeh, who, having lost his reelection bid, refused to vacate office. However, the Senate opposed the deployment, arguing that it violated Section 5(4) of the Constitution, which mandates that only the National Assembly can approve a declaration of war or military intervention (Arowosegbe & Akomolafe, 2016). The Senate demanded a detailed explanation from the presidency within seven days, highlighting its oversight function as a check on executive overreach in foreign policy administration (Abayomi, 2017). Similarly, the Senate exercised its oversight powers in 2016 when it delayed the confirmation of ambassadorial nominees, citing concerns about the exclusion of certain states from the nomination list, which violated the federal character principle (Umoru & Erunke, 2016). This action reaffirmed the National Assembly's role in ensuring that executive actions in foreign policy align with constitutional principles and national interests.

Beyond oversight, the National Assembly plays a significant role in treaty ratification and domestication, as outlined in Section 12 of the 1999 Constitution (as amended). Nigeria operates a dualist legal system, meaning that international treaties must be incorporated into domestic law before they can have legal effect (Crawford, 2012). As such, even when the executive negotiates and signs treaties, they do not automatically become part of Nigerian law until the National Assembly enacts them. This safeguard ensures that treaties align with national legal frameworks and democratic principles. A notable example is Nigeria's ratification of the Rome Statute of the International Criminal Court (ICC) in 2000, which remains undomesticated as of 2024 due to legislative delays. The slow domestication process highlights the complexities involved in treaty implementation, as the legislature must carefully scrutinize international agreements to ensure they serve Nigeria's interests. Another example of Nigeria's adherence to treaty obligations is the extradition of Nigerian fraud suspect Ramon "Hushpuppi" Abbas to the United States in 2020, facilitated by Nigeria's legal cooperation agreements with the U.S. (Premium Times, 2020). This demonstrates how legislative action on treaties strengthens Nigeria's role in global security, crime prevention, and justice systems.

Since assuming office in May 2023, President Bola Ahmed Tinubu's administration has actively pursued a dynamic foreign policy agenda, with the National Assembly playing a critical role in ratifying key international agreements (Nwankwo, 2024). Several significant treaties have been ratified or are under legislative review, reflecting Nigeria's commitment to strengthening its international partnerships despite persistent challenges. One of the most notable recent developments is the full operationalization of the African Continental Free Trade Agreement (AfCFTA). Although initially signed during the

Buhari administration, the Tinubu government has taken decisive steps toward its domestic implementation. This includes the introduction of the AfCFTA Adjustment Levy Act (2024), designed to protect local industries while ensuring Nigeria maximizes its participation in Africa's single market (Dokubo, 2024). In addition to AfCFTA, Nigeria is actively negotiating its accession to the Digital Economy Partnership Agreement (DEPA), a multilateral framework spearheaded by Singapore, Chile, and New Zealand, which aims to regulate cross-border digital trade (WTO, 2023). If ratified, this agreement would enhance Nigeria's growing technology sector, positioning it as a hub for digital commerce in Africa.

The power of the National Assembly extends to budgetary allocations for foreign missions and diplomacy, reinforcing its influence over Nigeria's international engagements. Under Sections 80, 81, and 121 of the 1999 Constitution (as amended), no public funds can be spent without legislative approval, ensuring that diplomatic expenditures align with national priorities (Osondu-Oti & Tolu, 2016). The power of the purse enables the National Assembly to regulate funding for Nigerian embassies, Foreign Service operations, and peacekeeping missions. This authority was exercised in 2016 when the Senate rejected President Buhari's request for a \$29.96 billion foreign loan, citing concerns over debt sustainability and transparency (Adebayo, 2017). The request was later resubmitted in 2017 but was again partially rejected due to concerns over Nigeria's growing external debt profile (Eboh, 2020). This case highlights the National Assembly's crucial role in preventing excessive foreign borrowing and ensuring responsible economic diplomacy. By controlling foreign-related expenditures, the legislature serves as a check on executive-led international financial engagements.

Another important function of the National Assembly is its engagement with international organizations and the practice of parliamentary diplomacy. Nigeria's lawmakers participate in inter-parliamentary bodies, such as the Inter-Parliamentary Union (IPU), the Pan-African Parliament (PAP), and the ECOWAS Parliament, enabling them to influence global policies on governance, security, and economic cooperation (Mohammed & Ibrahim, 2018). In October 2023, Senate President Godswill Akpabio was elected to the Executive Committee of the Inter-Parliamentary Union (IPU), marking the first time a Nigerian lawmaker has held such a position in 59 years (Daily Trust, 2023). This milestone reflects Nigeria's growing influence in global legislative diplomacy. Nigeria's active participation in regional and global institutions, such as the African Union (AU) and ECOWAS, further reinforces its commitment to diplomatic engagement and multilateral cooperation. These platforms allow Nigerian lawmakers to advocate for policies that enhance regional integration, conflict resolution, and economic partnerships.

Beyond parliamentary diplomatic agreements, Nigeria has reaffirmed its commitment to climate action by submitting an updated Nationally Determined Contribution (NDC) under the Paris Agreement, outlining a roadmap to achieve carbon neutrality by 2060 (Federal Ministry of Environment, 2024). Another significant initiative under review by

the National Assembly is the Nigeria-Morocco Gas Pipeline Treaty, a project aimed at boosting Nigeria's energy exports to Europe while fostering economic cooperation with Morocco and other West African states (Nwankwo, 2024).

Security and governance treaties have also remained a priority in response to regional instability and transnational threats. Nigeria has reinforced its commitment to the Accra Initiative, a multilateral security framework established by West African nations to combat terrorism, cross-border crime, and insurgency in the Sahel region (Dokubo, 2024). However, while Nigeria continues to engage in global disarmament dialogues, ratification of the United Nations Treaty on the Prohibition of Nuclear Weapons (TPNW) remains pending, reflecting a more cautious approach toward nuclear disarmament commitments (Aremu, 2023).

Additionally, Nigeria has made notable advancements in global health and labor relations. In 2024, the African Medicines Agency (AMA) Treaty was ratified, strengthening regulatory oversight of pharmaceuticals and enhancing access to quality medicines across the continent (AU, 2024). Furthermore, Nigeria formally acceded to the Maritime Labour Convention (MLC, 2006), a critical framework established by the International Labour Organization (ILO) to enhance working conditions for seafarers and ensure protection of labor rights in the maritime sector (ILO, 2024).

In conclusion, the National Assembly plays a critical role in shaping Nigeria's foreign policy through its oversight of executive decisions, treaty ratification, budgetary control, and engagement in parliamentary diplomacy. While the executive spearheads foreign policy formulation, the legislature ensures accountability, transparency, and adherence to constitutional provisions. However, challenges such as executive dominance, delayed treaty domestication, and limited legislative expertise in foreign affairs continue to hinder the full effectiveness of the National Assembly in foreign policy administration. Addressing these challenges through enhanced legislative capacity, improved inter-branch cooperation, and strengthened parliamentary diplomacy will further solidify Nigeria's position in global governance and international relations.

Challenges Facing the National Assembly in Exercising Its Foreign Relations Power

The National Assembly's authority in foreign policy matters is derived from its constitutional mandate, primarily exercised through legislative oversight. This role is crucial in ensuring that the executive remains accountable in foreign policy decisions that impact national interests. However, despite its constitutional backing, the National Assembly has faced numerous challenges in exercising its oversight functions, particularly during the 8th Assembly (2015–2019). These challenges include overbearing executive interference, disregard for legislative authority, power struggles between the legislature and executive, spillover effects from prolonged military rule, and internal political conflicts.

i. Constitutional Limitations and Executive Dominance in Foreign Policy

A major challenge facing the National Assembly in foreign policy decision-making is the executive's dominance, often overriding legislative input. While Section 12 of the 1999 Constitution requires the National Assembly to ratify treaties before they take effect as law, other constitutional provisions grant significant authority in foreign policy-making to the President and the Ministry of Foreign Affairs. Section 5(1)(a) of the Constitution vests executive powers in the President, including the authority to negotiate and sign treaties, while Section 19 outlines Nigeria's foreign policy objectives but does not explicitly define the legislature's role in shaping them. This creates an imbalance of power, limiting the National Assembly's influence in decision-making processes.

A clear example of this executive dominance occurred in 2017 when President Muhammadu Buhari unilaterally deployed Nigerian troops to The Gambia as part of the ECOWAS mission, as stated earlier. This decision was made without prior legislative approval, contrary to Section 5(4) of the Constitution, which stipulates that only the National Assembly can approve a declaration of war or military action (Abayomi, 2017). The Senate later condemned the move and demanded an explanation, but the deployment had already taken place, highlighting the executive's disregard for legislative authority in foreign affairs.

Similarly, in 2017, the Senate initially rejected the nomination of retired Justice Sylvanus Nsofor for an ambassadorial position due to concerns over his age and fitness for the role. However, the presidency renominated him, and despite its earlier stance, the Senate eventually confirmed his appointment (Adebayo, 2017b). This raises concerns about the effectiveness of legislative oversight, as the executive's unwillingness to be checked most times forces the legislature into rubber-stamping executive decisions for administrative convenience. This sentiment was echoed by Senator Rochas Okorocha, who described the legislature's acquiescence to executive demands as "relaxing procedural approaches to remove bureaucratic bottlenecks" (Channels TV, 2019).

ii. The Power Struggle between the Legislature and Executives

The power struggle between the legislature and the executive has also been a significant challenge. The 8th National Assembly, led by Senate President Bukola Saraki, frequently clashed with the executive, resulting in delays in budget approval and the confirmation of ambassadors. For example, the 2016 budget was approved after six months, while the 2017 and 2018 budgets faced similar delays due to disputes between the two arms of government (Channels TV, 2018). Additionally, the Senate delayed the confirmation of over thirty-seven (37) ambassadorial nominees due to unresolved conflicts with the presidency. These tensions escalated when Saraki defected from the ruling All Progressives Congress (APC) to the opposition People's Democratic Party (PDP) in August 2018, citing the executive's hostility toward legislative independence (Awotokun & Okotoni, 2020). Saraki publicly stated that "every dissent from the legislature was considered an affront to the executive or an attempt to undermine the government" (Channels TV, 2018).

iii. Bureaucratic Delays in Treaty Domestication

Nigeria operates a dualist legal system, meaning that international treaties do not automatically become part of domestic law upon ratification; they must be enacted into law by the National Assembly. However, this process is often slow and inefficient, resulting in significant delays in treaty domestication, which hinders Nigeria's ability to fulfill its international commitments. While the executive is responsible for negotiating treaties, the legislative process required for domestication can take years due to bureaucratic inefficiencies, legislative bottlenecks, and political considerations.

One notable example is Nigeria's delayed domestication of the Rome Statute of the International Criminal Court (ICC). Despite signing the treaty in 2000, the National Assembly has yet to fully domesticate it into Nigerian law as of 2024 (Ngara, 2017). This delay has weakened Nigeria's ability to fully participate in international justice mechanisms, leading to criticism from human rights organizations and international partners. Similarly, Nigeria signed the African Continental Free Trade Area (AfCFTA) agreement in 2019, but it took several years for the government to pass supporting legislation, such as the AfCFTA Adjustment Levy Act (2024), which was designed to protect local industries and fully integrate Nigeria into the trade framework (Ogbonnaya & Eze, 2020). These bureaucratic delays reduce Nigeria's credibility in international diplomacy and hinder economic and security cooperation.

iv. Inadequate Legislative Capacity and Expertise in International Relations

Effective legislative engagement in foreign policy requires expertise in international relations, diplomacy, trade agreements, and security cooperation. However, many Nigerian lawmakers lack the necessary technical knowledge and experience to engage in complex foreign policy debates. This knowledge gap affects the quality of legislative oversight and undermines the National Assembly's ability to thoroughly scrutinise international agreements before approval.

A major example of this challenge was evident in 2016, when the National Assembly struggled to evaluate Nigeria's application for a \$29.96 billion foreign loan, intended to finance infrastructure and economic recovery projects (Adebayo, 2017). Lawmakers failed to critically assess the long-term economic implications, resulting in prolonged debates and the eventual partial rejection of the request (Eboh, 2020). Similarly, in 2024, discussions on Nigeria's potential accession to the Digital Economy Partnership Agreement (DEPA), a complex trade agreement governing cross-border digital commerce, highlighted gaps in the country's legislative understanding of digital trade policies (WTO, 2023). These instances highlight how limited expertise in international relations hinders Nigeria's ability to negotiate and ratify strategic foreign policy agreements.

Another area where a lack of legislative capacity is evident is in parliamentary diplomacy. While Nigeria is a member of several international parliamentary

organizations, such as the Inter-Parliamentary Union (IPU) and the Pan-African Parliament (PAP), Nigerian lawmakers have struggled to leverage these platforms to advance Nigeria's diplomatic interests. In October 2023, Senate President Godswill Akpabio's election to the Executive Committee of the IPU marked an important step in enhancing Nigeria's global influence (Daily Trust, 2023). However, Nigeria's overall parliamentary engagement remains underdeveloped due to limited diplomatic training and a lack of structured international relations committees.

v. Moral and Integrity Issues as Obstacles to the National Assembly's Foreign Policy Performance

The effectiveness of Nigeria's National Assembly in shaping and executing foreign policy is significantly undermined by moral lapses, integrity concerns, and unethical conduct among its members. These issues not only damage the legislature's credibility but also erode public trust and Nigeria's diplomatic standing on the global stage. One of the most uncelebrated cases was the assault incident involving Senator Elisha Abbo. In 2019, Abbo was caught on camera physically assaulting a woman in an Abuja sex toy shop, an act that sparked widespread outrage. Although he initially avoided legal consequences, in August 2023, the Court of Appeal upheld a N50 million damages award against him (Vanguard, 2023). Beyond its domestic implications, this incident, along with several other corruption-related cases, further tarnished Nigeria's global image and raised questions about the country's commitment to addressing misconduct.

These integrity issues are not isolated cases but part of a broader pattern of misconduct that undermines the National Assembly's role in foreign policy formulation and diplomacy. Beyond individual scandals, systemic issues such as bribery, corruption, and lack of transparency continue to weaken Nigeria's legislative influence on international platforms. Foreign governments, international organizations, and investors closely monitor a country's legislative integrity, and when lawmakers face allegations of corruption or misconduct, it reduces foreign confidence in Nigeria's governance system, making it easier for international partners to question the legitimacy of agreements, negotiations, and treaties involving Nigeria.

Conclusion and Recommendations

The National Assembly plays a pivotal role in shaping and overseeing Nigeria's foreign policy, as provided by the 1999 Constitution. Through treaty ratification, legislative oversight, budgetary control, and parliamentary diplomacy, the legislature ensures that Nigeria's international engagements align with national interests and constitutional principles. Despite these constitutional provisions, the effectiveness of the National Assembly in foreign policy administration remains limited due to executive dominance, bureaucratic inefficiencies, political interference, and weak institutional capacity.

A major challenge is the executive's tendency to bypass legislative oversight in foreign policy matters, as seen in the deployment of Nigerian troops to The Gambia in 2017

without prior approval from the National Assembly. Additionally, delays in treaty domestication, such as the Rome Statute, which has remained undomesticated since 2000, illustrate the slow legislative process of incorporating international agreements into domestic law. Limited expertise in international relations among lawmakers further weakens Nigeria's ability to negotiate and engage effectively in global diplomacy. Furthermore, moral and integrity concerns, including allegations of corruption and political coercion, continue to erode public confidence and Nigeria's diplomatic credibility.

To address these challenges and enhance the National Assembly's role in foreign policy, the following recommendations are proposed:

1. **Constitutional Reforms** – Amend the 1999 Constitution to clarify and expand the legislature's authority in foreign policy matters, ensuring a balance of power between the executive and legislature.
2. **Efficient Treaty Domestication** – Streamline the process of treaty ratification and domestication to reduce bureaucratic delays and ensure Nigeria meets its international obligations in a timely manner.
3. **Capacity Building** – Establish specialized training programs to enhance legislators' expertise in international relations, trade agreements, and diplomacy to enable informed decision-making on global matters.
4. **Strengthening Parliamentary Diplomacy** – Encourage greater participation in regional and global inter-parliamentary bodies, such as the Inter-Parliamentary Union (IPU) and ECOWAS Parliament, to enhance Nigeria's diplomatic engagement.
5. **Improved Executive-Legislative Collaboration** – Foster closer coordination between the executive and legislative arms to ensure mutual consultation on foreign policy decisions and treaty negotiations.
6. **Ethical Reforms and Accountability Mechanisms** – Strengthen legislative ethics committees to address integrity concerns, enforce disciplinary measures against misconduct, and restore public confidence in Nigeria's legislative diplomacy.

Without these reforms, the National Assembly's role in foreign policy administration will remain constrained, affecting Nigeria's ability to influence global governance and protect its national interests on the international stage.

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