

Evaluation of the Level of Awareness and Perception of Legislative Processes under Constitutional Democracy among Agbani Residents in Enugu State

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Abstract

The purpose of this study is to appraise the level of awareness and perception of legislative processes under constitutional democracy among Agbani residents in Enugu State. The study was anchored on Diffusion of innovation theory. The study employed survey research method and relied on structured questionnaire as an instrument for the collection of primary data. A sample size of 400 respondents was drawn from the population of 41,832 using Taro Yamane formula. The data collected were presented with frequency distribution tables and analyzed using simple percentage approach, with the aid of the computer through the application of Statistical Package for Social Sciences (SPSS) software for analysis. Based on the findings, the study discovered that the level of awareness and perception of legislative processes under constitutional democracy among Agbani residents in Enugu State was low. The study concluded that the low level of awareness and perception of legislative processes under constitutional democracy among Agbani residents in Enugu State was because of the fact that legislative independence has not been seriously advocated for and practiced in Nigeria in line with the tenets of the constitutional democracy which is embedded in the rule of law. The study therefore, recommended among others that the legislative independence should be strengthen and enhanced in order to safe guard the parliamentary law making function.

Keywords: Constitutional Democracy, Legislative Processes, Rule of Law, Campaigns, Perception

Introduction

Recently, the National Assembly passed a bill on reinstatement of the old national anthem which was subsequently, assented to by the President Tinubu on May 29, 2024. S. 58(1) of the 1999 Constitution of the Federal Republic of Nigeria as Amended (CFRN, 1999) maintained that the power of the National Assembly to make law shall be exercised by bills passed by both the Senate and the House of Representatives and, except as otherwise provided by subsection (5) of this section, assented to by the President. Also, S. 58(2) of CFRN, 1999 averred that a bill may originate from either the Senate or the House of Representatives and shall not become law unless it has been passed and, except as otherwise provided by the section and section 59 of this constitution, assented to in accordance with the provisions of this section (Madebayo, 2012).

Under the 1999 Constitution of the Federal Republic of Nigeria, Nigeria operates a bi-cameral legislature at the Federal level consisting of both the Senate and House of Representatives which collectively make-up the National Assembly. Sanni (2006) stated that legislations starts from being proposals and it can originate from private individuals or groups and processed through their representative in parliament or appropriate house committee on the subject matter of the proposal. It may also be introduced by the executive or any of its agencies. Whatever the source of the proposal, it will at the preliminary stage, pass through governmental departments in the Ministry of Justice and other relevant Ministry as well as network of civil servants at the National Assembly, who will do a great deal of work on it.

Additionally, S. 58(3) of CFRN, 1999 observed that where a bill has been passed by the House in which it originated from, it shall be sent to the other house, and it shall be presented to the president for assent when it has been passed by that other house and agreement has been reached between the two houses on any amendment made on it, Thus, where a bill is presented to the President for assent, he shall within thirty days thereof signify that he assents or that he withholds his assent. Then, where the President withholds his assent and the bill is again passed by each house by two-third majority, the bill shall become law and the assent of the President shall not be required.

In *A.G Bendel State V. A.G Federation*, (2001) FWLR (PT. 65) 448, the President of the Federal Republic of Nigeria forwarded to the National Assembly Bill entitled, "Allocation of Revenue (Federation Account) Bill 1980" setting out new formula for the distribution of the amount standing to the credit of their Federation Account between the Federal and state governments and the local government councils in each state for the consideration and enactment by the National Assembly. The Bill as originally presented was debated and passed by the Senate with amendments. It was also passed by the House of Representatives after debate with different set of amendments which were at variance with those of the Senate. The President of the Senate convened a meeting of the Joint Finance Committee of the Senate and the House of Representatives, as he is enjoined under Section 55(2) of the 1979 Constitution of the Federal Republic of Nigeria to resolve the differences between the Senate and the House of Representatives. Thereafter, the bill without being sent back to either the Senate or the House of Representatives was presented to the President of the Federal Republic of Nigeria for assent and the President signed it into law on the 3rd February, 1981. It was indicated in schedule attached to the bill presented to the President for assent which stated that it was passed by the Joint Committee on Finance on 29/1/80.

Subsequently, the plaintiff was dissatisfied with the mode and manner by which the National Assembly had exercised its legislative power in respect of the said bill. It therefore commenced these proceedings in the Supreme Court against the Government of each of the other eighteen state governments. In the determination of the suit, the Supreme Court considered the provision of Section 54,55 and 58 of the 1979 Constitution (now Section 58, 59 and 62 of the Constitution of the Federal Republic of Nigeria, 1999 as Amended). The Supreme Court held that a bill passed, amended or unamended by the one House and thereafter transmitted to the other (or second) House which in turn amends or further amends and passes it, cannot have been passed by that other House (i.e the second House). Therefore, in the language of Section 55(2) of the 1979 Constitution (now Section 59 (2) of the 1999 Constitution of the Federal Republic of Nigeria as Amended, the House has rejected the Bill sent to it.

Statement of the Problem

Despite the seemingly disconnect between the citizens and their representatives in legislature under the constitutional democracy that necessitates representative democracy in Nigeria, law making ought to have involved policy determination which in a constitutional democracy is the function of the political group responsible to the people and engaged to discharge democratic social contract dividends.

Consequently, it seems that majority of Nigerians are not fully aware of legislative processes under constitutional democratic practice in Nigeria like the passage of bill by the National Assembly on reinstatement of old national anthem within five days and subsequently, assented to by the President Tinubu on May 29, 2024 which was characterized by non participation of majority of citizens in legislative process, more especially among the Agbani residents. Legislative processes ordinarily, are concerned solely with the actual making of laws in Nigeria under constitutional democracy which denotes opportunity of citizens to participate freely in the decisions, in whatever realm of life, which affect their lives individually and collectively through their representatives in the legislature.

Although, there are many research findings on legislative processes, some of these findings only succeeded in establishing the relevance and application of legislative processes in social contract engagement. These studies did not, however, dwell much on evaluation of the level of awareness and perception of legislative processes

under constitutional democracy among Agbani residents. What is the nature of perception of the Agbani residents on legislative processes under constitutional democracy in Nigeria? It is against this background that it becomes pertinent to evaluate the level of awareness and perception of legislative processes under constitutional democracy among Agbani residents in Enugu State.

Objectives of the Study

The main objective of the study is to evaluate the level of awareness and perception of legislative processes under constitutional democracy among Agbani residents in Enugu State. However, other objectives include to:

1. Determine the extent of the Agbani residents' awareness on legislative processes under constitutional democracy in Nigeria.
2. Discover the level of awareness of the Agbani residents on legislative processes under constitutional democracy in Nigeria.
3. Determine the nature of perception of the Agbani residents on legislative processes under constitutional democracy in Nigeria.

Research Questions

The research questions for this study include:

1. What is the extent of the Agbani residents' awareness on legislative processes under constitutional democracy in Nigeria?
2. What is the level of awareness of Agbani residents on legislative processes under constitutional democracy in Nigeria?
3. What is the nature of perception of Agbani residents on legislative processes under constitutional democracy in Nigeria?

Significance of the Study

The relevance of this study can be seen in many ways. Firstly, it will contribute to the enrichment of literature on media studies, law of legislative studies, political science and national development. The importance of this study will go a long way to ensure that the legislators carry along their constituents in law making process. It will ensure qualitative representation in the parliament. Thirdly, it will provide baseline information through its analysis and discussion to assist the national policy makers in articulating developmental policies that will positively impact on national affairs. The study will also help the members of public to have more understanding and appreciation of legislative processes under constitutional democracy in Nigeria.

Brief Review of Literature

Legislative Processes

A bill passes five stages before it is transformed into law with or without amendments. The stages include:

1. Presentation and First Reading: A bill is presented to either the Speaker of the House of Representatives or Senate president and if it is emanating from the President of the Federation, it should be under a covering letter personally signed by the President. The Speaker or Senate president forwards the bill to the Rules and Business Committee which schedules the bill for the first reading. Thereafter, the bill is printed and distributed to every member of the House. The Clerk of the House reads the short title of the bill aloud and this is regarded as first reading. This stage is very formal, no question is proposed neither is any debate entertained (Nwande, 2010).

2. Second Reading: Under this, the member of the House that presented the bill into the House will explain to the House the purpose of the bill. Thereafter, a debate in which members of the House are free to speak for or against the bill will follow. During this second reading, the advantage and otherwise of the bill will be discussed. And finally, the proposal that the bill be read a second time will be put to vote. If it is carried, the bill

proceeds to the third stage and if not, that will be the end of the bill (Anozie, 2023).

3. Committee Stage: Immediately after the second reading, the bill shall be committed to a Standing Committee unless the House by a motion made without notice commits the bill to the Committee of the Whole House. The presiding officer of the House has the discretion to allocate a bill to a particular standing committee that has jurisdiction over the subject matter of the bill and his decision is final. After its work, the Committee reports to the House and if accepted, the bill is placed on the calendar and considered on a date fixed by the Committee on Rules and Business.

4. Report Stage: This is the stage where the bill in its amended form will be reported to the House. This will only be a formality, if it is the Committee of the Whole House. Also, the mace will be placed on the table to show that the House has now turned itself into a sitting House rather than a committee. The committee to which a bill is referred is expected to make a formal report to the House at the end of its proceedings. If the committee amended the bill, the amendment version will be reproduced and distributed to members of the House before it is considered by the House. During consideration of the report, the House might further amend the bill.

5. Third Reading: When a bill is reported from a committee to the House, it shall be ordered for a third reading immediately or on such date as the Rules and Business Committee may appoint, provided no member of the House gives notice to move for the re-committal of the bill. The bill is read for a third time and only minor amendments may be entertained. After this, the bill is printed and signed by the clerk of the House and endorsed by the presiding officer of the House and then forwarded by the clerk to the clerk of the other House with a message desiring the concurrence of the House. If the House concurs after the bill has passed the various stages, the bill will be deemed as having been passed by the National Assembly, and then sent to the President for his assent.

In the State Assembly, the bill undergoes only one circle of the five stages at it is usually unicameral legislature. Basically, the law making process is slightly different in State House of Assemblies, when compared with what obtains at the state level is done by members of the House of Assembly. The power of a House of Assembly to make laws is exercised by bills passed by the House of Assembly is assented to by the governor. A bill does not become law unless it has been duly passed and assented to in accordance with the provisions of the law.

However, Local government councils are only permitted by law to make bye-laws. Section 22(f) of Local Government (Basic Constitutional and Transitional Provisions Amendment Decree 23 of 1990) provides that the legislative powers vested in the Local government council shall be exercise by the bye-laws passed by the Local government. A bye-law shall not become law unless it has been duly passed and assented to in accordance with the provisions of Section 22(f). Where a bye-law has been passed by the local government councilors, it shall be presented to the chairman of the local government for assent. Where he receives such bye-laws, he is expected within 30 days to signify that he assents or he withholds assent. Where he withholds assent and the bye-law is again passed by the local government council by two-third majority, the bye-law becomes law and the assent of the chairman of the local government is no longer required (Nwande, 2010).

Campaign Programmes and Perception

Moguluwa (2016) noted that executing campaign involves presenting behaviour changing messages to the target group or audience in such a way that they would be sufficiently convinced to adopt them as intended behaviour. Ezeah, Apeh, Omerigwe & Ojo (2014) submitted that campaign must be prepared in a way to accommodate many factors and issues that are vital to make the exercise successful and reduce lack of access to important information by audience in developing nations.

Bovee (2013) stated that perception is the process of being exposed to a stimulus, paying attention to some

degree, and then interpreting the received message. For perception to take place, there must be exposure to stimuli with certain level of attention paid to the stimuli and finally, the stimuli are interpreted by the audience.

Anaeto, Onasanjo & Osijeso (2008) maintained that the assumption of perception theory is that mass communicators want audience to pay attention to their messages, and make appropriate changes in attitudes or beliefs, or produce the desired behavioural responses. Woolfolk (2014) noted that perception is the process of detecting a stimulus and assigning meaning to it. This meaning is constructed based on both physical representations from the world and our existing knowledge. As perception continues, the features are organized into patterns.

Theoretical Framework

This study is anchored on diffusion of innovation theory. This is because its basic tenets are fundamental to the understanding of the subject under study. Bittner (1989) cited in Okunna (2002) stated that diffusion of innovation theory recognizes that the media can lead someone into getting aware of the existence of an item. From there, he gets interested, makes an attempt to evaluate it, gives it a trial before making up his mind to acquire it. Hence, this theory is relevant to the study as it concerns awareness and perception of the legislative processes under constitutional democracy in Nigeria among the Agbani residents.

Brief Review of Empirical Studies

Although, there are many research findings on legislative processes, some of these findings only succeeded in establishing the relevance and application of legislative processes in social contract engagement. Empirical studies have established such connection. For instance, Nwande (2010) observed that law is made by drafting a bill. A bill, after being drafted will be published if made by the National Assembly in the federal Gazette as a bill. At the meeting of the parliament in the house, the minister or the ordinary member of the house responsible for the bill could originate from either the National Assembly or the Senate, except the bill which has to do with money; such bill must originate from the House of Representatives. When a bill is introduced, five stages shall be involved in passing of a bill into law in each of the respective houses. The stages are as follows: First Reading, Second Reading, Committee Stage, Report Stage and Third Reading.

West (2003) cited in Nwosu (ed), discovered that the law making power of the National Assembly starts with the initiation of legislative proposals in the form of bills. A bill could be proposals in the form of bills. A bill could be initiated by any of the two Houses of the National Assembly, by the executive, by a special interest group or by a private citizen. A bill will pass various stages before it is transformed into law with or without amendments.

These studies did not, however, dwell much on evaluation of the level of awareness and perception of legislative processes under constitutional democracy among Agbani residents. This study is novel in nature unlike many other researches that either focused on nature of law making or law processes in the parliament.

Methodology

Research Design

Bearing the nature and objectives of this study in mind, survey research method was used for this task. Nworgu (1991) stated that survey is the study which aims at collecting data on, and describing in a systematic manner, the characteristics, features or facts about a given population.

Scope of the Study

This study covered level of awareness and perception of legislative processes under constitutional democracy in Nigeria among the Agbani residents.

Area of Study

The area of study was Agbani in Nkanu-West Local Government Area, Enugu State.

Population of the Study

The population of study consists of the total number of Agbani community which is 41,832 (Source: National Population Commission, 2006).

Sample Size

Having determined the population, the researcher then proceeded to determine the sample size. However, considering the fact that 2006 is too far a time, the researcher aligned himself with Owuamalam (2012), which maintained that the population of Nigerians has increased significantly since the last census which was held in 2006, and did a projection of 18 years (2006- 2024= 18) using an annual growth rate of 3.2 per cent (UNDP cited in Owuamalam, 2012). The projection formula provides that $P_p = G_p \times P_i \times T$

Thus, $P_p = 41,832, P_i = 3.2\%$ or 0.032

$T = 2024 - 2006 = 18$

$P_p = 41,832 \times 0.032 \times 18 = 24,095.232$

When added to the population of the community, it shall be: $41,832 + 24,095 = 65,927$. Based on this, the sample size was determined using Taro Yamane Simplified formula (Isreal, 2012) which stated as follows:

$$n = \frac{N}{1 + N(e)^2}$$

$$n = \frac{65,927}{1 + 65,927(0.0025)}$$

$n = 400$. Thus, 400 served as the sample size for this study.

Sample Technique

Interestingly, this study used purposive sampling technique. This method of sampling, Nwodu (2006) observed that it is often called judgmental sampling. Here, the respondents were selected on condition that they meet certain criteria. Also, Uzoagulu (2011) stated that purposive sampling technique ensures that only those elements that are relevant to the research are included. This means that the researcher is at liberty to judge, select or reject a respondent on the basis that the respondent meets or fails to meet the purpose of the research. Thus, purposive sampling technique tends to represent a section of the population that meets specific objective prescribed by the researcher. Ikeagwu (1998) indicated that the basic assumption behind this technique is that with good judgment and an appropriate strategy, one can handpick the cases to be included in the sample and thus, develop samples that are satisfactory in relation to one's needs.

Sources of Data

Because of the nature of this work, the study used primary and secondary sources of data.

Instrument of Data Collection

Specifically, the instrument used for primary data collection was structured questionnaire. The copies of structured questionnaire were administered with the help of research assistants to the respondents.

Method of Data Analysis

Thus, the data collected were presented with frequency distribution tables and analyzed using simple percentage approach with the aid of computer through the application of Statistical Package for Social Sciences (SPSS) software for analysis.

Data Presentation, Analysis and Discussion of Findings

Ordinarily in this study, as noted earlier, 400 copies of the structured questionnaire were distributed to therespondents. However, a total of 397 copies of structured questionnaire were returned. Two (2) copies were not returned while one copy was mutilated. Hence, 397 copies of questionnaire constituted the actual number of validly returned questionnaire used in the analysis.

Table 1: Respondents' Gender

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Male	145	36.52	36.52	36.52
Female	252	63.48	63.48	100.0
Total	397	100.0	100.0	

Source: Field Survey, 2024

Table 1 shows that 145 respondents representing 36.52% were males while 252 respondents representing 63.48% were females.

Research Question 1: What is the extent of the Agbani residents' awareness on Legislative Processes under constitutional democracy in Nigeria?

Table 2: Agbani residents' Awareness on Legislative Processes

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Very high	36	9.07	9.07	9.07
High	43	10.83	10.83	19.90
Low	267	67.25	67.25	87.15
Very low	51	12.85	12.85	100.0
Total	397	100.0	100.0	

Source: Field Survey, 2024

Table 2 shows that 36 respondents representing 9.07% indicated that the Agbani residents' awareness on Legislative Processes under constitutional democracy in Nigeria were very high; 43 respondents representing 10.83% indicated high exposure to the Legislative Processes under constitutional democracy in Nigeria; 267 respondents representing 67.25 % indicated low exposure while 51 respondents representing 12.85% indicated very low exposure.

Research Question 2: What is the level of awareness of Agbani residents' on Legislative Processes under constitutional democracy in Nigeria?

Table 3: Level of Awareness of Agbani Residents

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Very high	63	15.87	15.87	15.87
High	77	19.39	19.39	35.26
Low	201	50.63	50.63	85.89
Very low	56	14.11	14.11	100.0
Total	397	100.0	100.0	

Source: Field Survey, 2024

The table 3 shows that 63 respondents representing 15.87% believed that the level of awareness of Agbani residents on Legislative Processes under constitutional democracy in Nigeria were very high; 77 respondents representing 19.39% believed that the level of awareness were high; 201 respondents representing 50.63% believed that the level of awareness were low while 56 respondents representing 14.11% indicated that the level of awareness were very low.

Research Question 3: What is the nature of perception of Agbani residents' on Legislative Processes under constitutional democracy in Nigeria?

Table 4: The nature of perception of Agbani residents

Variables	Frequency	Percent	Valid Percent	Cumulative Percent
Favourable	55	13.92	13.9	13.92
Unfavourable	300	75.95	75.95	89.87
Neutral	40	10.13	10.13	100
Total	395	100.0	100.0	

Source: Field Survey, 2024

Table 4 shows that 55 respondents representing 13.92% indicated that the nature of perception of Agbani residents on legislative processes under constitutional democracy in Nigeria were favourable; 300 respondents representing 75.95% indicated that the perception on legislative processes under constitutional democracy in Nigeria were unfavourable while 40 respondents representing 10.13% were neutral.

Summary of Findings

Based on data gathered, presented and analyzed so far, the following findings emerged.

1. It is quite glaring from the findings in table two (2) that showed that 36 respondents representing 9.07% indicated that the Agbani residents' awareness on Legislative Processes under constitutional democracy in Nigeria were very high; 43 respondents representing 10.83% indicated high exposure to the Legislative Processes under constitutional democracy in Nigeria; 267 respondents representing 67.25 % indicated low exposure while 51 respondents representing 12.85% indicated very low exposure.
2. The findings from table three (3) revealed that 63 respondents representing 15.87% believed that the level of awareness of Agbani residents on Legislative Processes under constitutional democracy in Nigeria were very high; 77 respondents representing 19.39% believed that the level of awareness were high; 201 respondents representing 50.63% believed that the level of awareness were low while 56 respondents representing 14.11% indicated that the level of awareness were very low.
3. The findings from table four (4) showed that 55 respondents representing 13.92% indicated that the nature of perception of Agbani residents on legislative processes under constitutional democracy in Nigeria were favourable; 300 respondents representing 75.95% indicated that the perception on legislative processes under constitutional democracy in Nigeria were unfavourable while 40 respondents representing 10.13% were neutral.

Discussion

From the data available, the awareness level of Agbani residents on legislative processes under constitutional democracy in Nigeria was low, this notwithstanding the fact that Nigeria adopted constitutional democratic system of government since 1999 when the country returned to democratic governance. However, it is believed that campaign programmes that are attractive and convincing can help to create awareness on legislative processes under constitutional democracy in Nigeria among the residents. Though, the major issues that are negatively affecting exposure to such legislative processes are interest; and type or extent of media exposure of the residents. This result supports the findings of Ezeah, Apeh, Omerigwe & Ojo (2014), who observed that campaign must be prepared in a way to accommodate many factors and issues that are vital to make the exercise successful and reduce lack of access to important information by audience in developing nations.

Also, Agbani residents believed that their level of awareness on legislative processes under constitutional democracy in Nigeria was low. However, there is a need for more awareness creation in order to sensitize the target audience on legislative processes under constitutional democracy in Nigeria. This strategy will encourage the level of awareness on such issue among Agbani residents. The findings seem to be in tandem with the submission of Moguluwa (2016), which noted that executing campaign involves presenting behaviour changing messages to the target group or audience in such a way that they would be sufficiently convinced to adopt them as intended new behaviour.

Finally, the majority of the residents agreed that the nature of their perception on legislative processes under constitutional democracy in Nigeria were unfavourable. This result supports the findings of Sinatra & Mason (2012), which observed that perception is the interpretation of sensory information.

Conclusion

The study concludes that the low level of awareness on legislative processes under constitutional democracy in Nigeria was because of the fact that legislative independence has not been seriously advocated for and practiced in Nigeria in line with the tenets of the constitutional democracy which is embedded in rule of law.

Recommendations

Finally, the study recommends that the legislative independence should be strengthened and enhanced in order to safe guard the parliamentary law making function and to maintain its independence from other arms of the

government. Unfortunately in Nigeria, the members of the National Assembly (Parliament) are rubber stamp and, the presidency dictates the legislative direction to follow and adopt.

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