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The Role of National Assembly in Conflict Resolution: A Case of Anti- Subsidy Strikes of 2012

Eme Okechukwu I.

Abstract- The legislature has added the responsibility of conflict mediation and resolution to its numerous functions. The legislature has established an enviable record of performance in this area. For instance, since 1999 the legislature has positively intervened and settled several government- labour disputes, be it over minimum wage, ASUU demands for better conditions of service in the Universities or most recently, the fuel subsidy strike. The timing of the removal of subsidy from petroleum products by the Executive was most inauspicious. It came at a time when majority of Nigerians were in their various villages and communities for the Christmas and New Year festivities. They were trapped and stranded as they could not afford the huge escalation in fuel price which moved from N65 to N140 per litre of petrol in the average Nigerian community. No one anticipated such sudden sharp increase as Nigerians had planned the budget for their trips based on existing cost parameters and indices. People were thus thrown into unavoidable economic turmoil and even reduced to the level of destitution and beggary. As the representatives of the people, The National Assembly were inundated with barrage of calls and protestations from our constituents all over the country on their worsening economic situation occasioned by the subsidy removal. Confronted with such a terrible situation, the House of Representatives had to convene an emergency session on a Sunday, 8th January, 2012 (the first of its kind in our legislative history). This culminated in the decision of the House to set up the Hon. Farouk Law an led Ad-Hoc Committee on the Investigation and Monitoring of the Fuel Subsidy regime. To address the urgent matter of the impending strike, the National Assembly set up the Patrick Ikhariale Committee to reach out to Labour and arrest the situation. The findings of the Committee have since revealed that the huge funds being misapplied by a privileged few in our society in the name of oil subsidy could have been better and wisely deployed in funding the national budget to provide critical infrastructure and tackle mass poverty. The paper concludes by positing that in spite of the alleged bribery scandal, the report of the Subsidy Committee as adopted by the House remains sacrosanct. We urge the Executive to implement it without further delay. This paper addresses these issues.

Keywords: legislature, subsidy, corruption, investigative panel, conflict and conflict resolution and petroleum products.

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I. INTRODUCTION

In a brusque manner that caught everybody, including members of the National Assembly Unawares, the Federal Government, on New Year's Day announced its decision to stop with immediate effect the subsidy on petroleum products. The immediate implication of this awkward New Year gist was the sudden rise in the price of premium Motor Spirit PMS, popularly called petrol here, from N65 to between N141 and N150, a sour taste in the mouth of most citizens. Naturally, the obviously unpopular decision immediately set off a whiff of national anger, with the leadership of organized labour re presented by the Nigeria Labour Congress (NLC) and the Trade Union Congress (TUC), vowing to shut down the country by January 9 if the federal government failed to retrace its step. It was not as if labour was totally opposed to the deregulation of the petroleum down stream sector, but its anger appeared to have stemmed from the fact that the government would take such critical decision when consultations" on the modalities and timing of its implementation were still on going. Even some lawmakers expressed indignation over what they called the tactical sidelining of the National Assembly in "the far-reaching economic decision when the 2012 budget is still under consideration", a decision, which, one senator said "runs against the gains of inclusive and representative democracy" (See Oladesu, et. al, 2011: 1, 2).

As the one week ultimatum labour gave the government to rescind its decision lapsed without the latter budging the nation woke up on Monday January 9 to a crippling national strike as government officers throughout the nation were deserted and private businesses grounded in most cities of the federation. Street protests were also held across the country, as labour and its civil society allies vowed never to retreat until government brought back the price of petrol to its former N65 per liters. On its part, the government insisted that the subsidy removal was irrevocable.

Such was the hard line stance adopted by the two disputants that hopes of any meaningful settlement of the crisis were being dimmed by the day until the National Assembly, which was on its Christmas and New year recess at the time the subsidy removal announcement was made, waded in.

Although, they too were not carried along in the government decision, the federal lawmakers immediately sprang into action as soon as they resumed with the House of Representatives even cutting short its holiday by two days to hold an emergency session on a Sunday on what was clearly becoming a serious national crisis. But while the House appeared to have used its controversial Sunday resolution to express its anger over the sidelining of the National Assembly in the subsidy removal decision, the Senate, through its leadership led by its President, Senator David Mark promptly initiated a damage control, peace deal between the Federal Government and organized labour through series of mainly nocturnal meetings with each of the disputants in the first instance. The lawmakers later succeeded in brining labour and government officials together to the negotiating table, a move that finally led to the resolution of the crisis one way or the other.

By their action, the Nigerian Labour Congress (NLC) has aptly demonstrated that it still commands the respect of most Nigerians. We say this considering the substantial compliance of its nationwide strike order in protest of fuel subsidy removal. Expectedly, Nigerians troop out to protest the subsidy removal, which they consider punitive, ill-timed and ill advised.

The nation's economy was literally put on hold while the strike was on. Schools, petrol stations, banks and markets were shut down in compliance of the order. In some major cities across the polity, there were disruptions of movement by anti-subsidy removal agitators who set bonfires on the roads. In most streets in the metropolis, idle youths were seen playing football, while in some areas hoodlums exploited the strike and had a field day. Small trading that went on was only visible in some neighbourhood streets.

Organized labour has insisted that government must go to the former pump price of N65 per litre of fuel before the current deregulated price of N141 per litre of petrol. The House of Representatives on its emergency sitting on Sunday (8th January, 2012) urged government to reverse itself and return to former price of N65 per litre of petrol so that it will go into dialogue with labour (See Olukayode and Kujenya, 2012:2).

The Lower Chamber resolved too that labour should shelve its current call for strike so as to negotiate with government. Regrettably, neither government nor labour heeded the House's call. Labour hailed the House's decision and urged the Senate to do the same.

Not even the launching on Sunday of the 1600 mass transit buses by President Good luck Jonathan and the various appeals by government's agents could make labour to call off the protest. Not even the purported 25 percent cut in salaries of political officeholders can make Nigerians see reasons with their embattled President who decided to wage so many battles against the populace all in one swoop without considering their consequences.

All the sermons and rhetoric of fuel subsidy removal appear to have fallen on deaf ears. The people no longer trust this government which in one breathes promised us fresh air and vowed that it will not inflict pains on Nigerians only to inflict the same people with the worst pains ever in the history of Nigeria some hours after the promise.

All governments from Obsanjo's first coming to his second coming have in one way or the other deregulated the oil sector, which we have been made to understand, as price hike in petroleum products. The most notorious were Obasanjo and Ibrahim Babangida regimes (See Eme, 2011).

Now as 100 percent (115 percent) price hike of petrol, Jonathan's regime will appear to be the worst if he does not reverse himself. There is no gain saying that Jonathan came to power with lots of goodwill from Nigerians. He appears to have fritted away all of them.

Nobody believes the president who went to school without shoes. Nobody believes that he is neither Pharaoh nor Nebuchednezzar. Nobody believes that Jonathan would rule Nigeria without iron hand. There is no doubt that the transformation train has hit a brick wall and the citizens are resisting the imposition of hardship under the guise of fuel subsidy removal. What Jonathan is doing is against all his campaign promises of turning the economy and making all Nigerians happy. He is inflicting greater pains on Nigerians by his every policy. He does not honour agreement (See Iba, 2009).

In fact, the subsidy removal apostles are economical with the truth. The whole exercise is riddled with fallacies. It is not true that the way Jonathan is going about the subsidy removal is the best way be deregulate the downstream oil sector (See Igbadu, 2002, Oladesu, et.al,:2011).

Nigerians have in the past five days reacted angrily to Government's actions on the fuel subsidy. Nigerians have concluded that their leaders are truly detached from the reality of economic hardship endured by Nigerians. This is so because virtually all high government officials and their families feed and live off tax payers' funds, yet they enjoy outrageous salaries and other emoluments. In some cases the amount budgeted for feeding and catering is as much as N 1 billion. Government officials travel limitlessly around the globe for the flimsiest of reasons collecting esta codes in billions even where the object of most of these journeys can be achieved by simply browsing the internet. Consequently, Nigerians have reacted spontaneously to this unwise and ill-motivated maneuver by demonstrations and other forms of protest nationwide. The aim of this paper is to discuss the role of the National Assembly in conflict resolution using the subsidy removal strikes in Nigeria as a case study.

II. CLARIFICATION OF CONCEPTS

a) *The Legislature*

The Legislature is the engine of democratic governance as laws made by it set the agenda for the government and regulate the conduct of the people. The legislature in Nigeria, being it the National Assembly or State Houses of Assembly, has a very significant role to play in creating the legal and institutional frameworks for ensuring the existence and sustainability of transparency and accountability in the public service. Abayomi (2003: 12) observed that, Assemblies have increasingly become scrutinizing bodies, the principal role of which is to deliver responsible or accountable government. Most Assemblies have developed institutional mechanisms designed to facilitate this role. Abayomi (2003: 13) also noted that the legislature emerged from the need to make government accountable to the people. This need for accountability has ensured that all activities of parliament are open to public scrutiny. Baldwin (2006: 5) describes the legislature as "the representative body that provides for legitimacy, enacts legislation and oversees and scrutinizes the actions and activities of the executive in a State".

The legislature is an assemblage of the representatives of the people elected under a legal framework to make laws for the good health of the society. It is also defined as "the institutional body responsible for making laws for a nation and one through which the collective will of the people or part of it is articulated, expressed and implemented" (Okoosi-Simbine, 2010:1).

The legislature controls through legislation all economic, social and political activities of the nation. It also scrutinizes the policies of the Executive and provides the framework for the judiciary to operate.

In light of the foregoing, we cannot talk about democracy in any meaningful form or manner without the legislature. Indeed, the legislature is at the very heart of any democratic arrangement or what scholars often refer to as "representative governance".

The significance of the legislature as one of the strong pillars of democratic governance (the others being the Executive and Judiciary), can therefore, be discerned from Abraham Lincoln's classical definition of democracy during the Gettysburg Address of 1863, as "government of the people, by the people and for the people" (Remy, 1994:31-34). Central to this definition is the existence of the representatives of the people due to the technical impossibility of all the people ruling and carrying on the business of government, at the same time, as was the original thinking in the famous Greek City States of old. (Lowi, Ginsberg, Shepsle, 2008:117-128).

Baldwin (1989: 20) categorized legislatures according to their capacity to influence policy.

Consequently, the four types of legislatures can be identified:

- policy – making legislatures (active legislatures)
- policy – influencing legislatures (reactive legislatures)
- legislatures with minimal or marginal policy effect
- legislatures with no real policy effect or "rubber-stamp" legislatures.

Of these categorization, the Nigerian legislatures be they at the National, State or Local Government Council levels are supposedly that of policy-making legislatures which enjoy significant level of autonomy and cannot only amend or reject measures brought forward by the executive, but can substitute for it policy of its own.

However, there are more to legislatures than either formulating policies or influencing the formulation of policies. This is because indeed, a wide-range of functions – some intended and some unintended, can be identified. In the Nigerian context, these functions can be looked upon from the backdrop of its powers and responsibilities. These can be classified into three:

- a) Expressed powers – as stated in the constitution
- b) Implied powers – arising from extension of the constitution
- c) Assumed powers – arising from constitutional lacuna "Consensus building".

In Nigeria, a presidential republic with a bi-cameral National Assembly consisting of a Senate with 109 members, and a House of Representatives with 360 members, as well as thirty-six State Assemblies and 774 Local Council Legislatures, the legislature has powers and responsibilities enshrined in the statutes especially the constitution through which it can ensure public service accountability.

The influential position of the legislature is expressed by section 4 of the amended 1999 Nigerian Constitution which deals elaborately with legislative powers, enables this arm of government to formulate and express the will of the people through legislation. Specifically, the legislative function as provided in the 1999 Constitution includes the following, among others:

- a) Law making and policy formulation functions
- b) Oversight functions
- c) Investigative functions
- d) Amendment of the constitution and laws
- e) Control of the administration or executive
- f) Representative or constituency
- g) Determination and control of finance (watchdog of public funds).

One of the most important functions of the legislature that is the concern of this work is the check it provides on the other arms of government (Executive and Judiciary) in pursuance of the doctrine of checks

and balances. Thus, for purposes of ensuring accountability in the public service, the legislature acts as an active supervisor or “watchdog” of the activities of the other arms of government as provided in sections 88 and 89 of the 1999 constitution for the National Assembly and sections 128 and 129 for States Houses of Assembly.

Loewenberg (1995: 736) conceptualizes legislatures as “assemblies of elected representatives from geographically defined constituencies, with law-making functions in the governmental process.”

In the same vein, Jewell (1997: 172) identified two features that distinguish legislatures from other branches of government. According to him, “they” (legislatures) have formal authority to pass laws, which are implemented and interpreted by the executive and judicial branches and their members normally are elected to represent various elements in the population.” It is significant to note that legislatures vary in terms of composition, structure and role, from one democracy to another.

It is important to note that despite this close affinity and the close emphasis of law making echoed by most analyst as the principal function of the legislature, the term still faces complex definitional problems as our knowledge about legislatures has become more sophisticated. For instance, it was discovered that legislators in some of these systems had little or no role in law making. It was in consideration of this variation that Mazey (1979: 3) defines the legislature thus:

I think of a legislature as predominantly elected body of people that act collegially and have at least the formal but not necessarily the exclusive powers to enact laws binding on all members of a specific geo-political entity.

Mazey’s thinking is reinforced by the fact that some laws enacted by the legislature are in truly professional sense, delegated. Despite the complexities in definition, this study adopts the definitional model which sees the legislature as a body of people (whether elected or otherwise) who have the powers to make laws which are binding on all members of a society, state or country (Ojo, 19993: 1). The adoption of this definitional model stems from the fact that the legislature in Nigeria has the exclusive power of law-making. Granted that the executive branch and its agencies are privy to proposing legislations, but in the final analysis, the responsibility of overhauling and passing such laws is the exclusive duty of the legislature.

The Nigeria’s Presidential Constitution, for the purpose of promoting transparency and accountability in the public service, vests on the legislature the power over appropriation and control of public funds. It is for this obvious reason that the legislature is described as the “watchdog of public funds”. In this capacity, it exercises its power to audit public finances as well as

the power of investigation into the affairs of government departments or public officers in order to scrutinize the use of such funds for purpose of accountability. The constitutional functions of the legislature with regards to control over public funds for purpose of accountability include among others:

- i. Pre and post-appropriation control
- ii. Authorization of expenditure from the consolidated revenue funds
- iii. Its role in the auditing of public accounts
- iv. Directing or causing to be directed, investigations into “the conduct of affairs of any person, authority, ministry or government department charged or intended to be charged with the duty of or responsibility for disbursing or administering moneys appropriated by the legislature.

What is of particular interest to us in this paper is the role the legislature played to ensure accountability in the recent subsidy face-off between the Presidency and Organised labour in early 2012.

b) *Conflict Resolution*

Mitchel and Banks (1996) use conflict resolution to refer to:

- i. An outcome in which the issues in an existing conflict are satisfactorily death with through a solution that is mutually acceptable to the parties, self-sustaining in the long run and productive of a new, positive relationship between parties that were previously hostile adversaries; and
- ii. Any process or procedure by which such an outcome is achieved.

Miall et al (2001:21) indicate that by conflict resolution, it is expected that the deep rooted sources of conflict are addressed and resolved, and behavior is no longer violent, nor are attitudes hostile any longer, while the structure of the conflict has been changed.

Conflict resolution is seen by Miller (2003:8) as “a variety of approaches aimed terminating conflicts through the constructive solving of problems, distinct from management or transformation of conflict.” Some people may use the term “conflict resolution” to refer to a specialized field of study and practice as in the field of conflict resolution (Best, 2009).

Putting these ideas together, it can be said that in principle, conflict resolution connotes a sense of finality, where the parties to a conflict are mutually satisfied with the outcome of a settlement and the conflict is resolved in a true sense. Some conflicts, especially those over resources, are permanently resolvable. From the point of view of needs, a conflict is resolved when the basic needs of parties have been met with necessary satisfier, and their fears have been allayed. Others, like those over values, may be non-resolvable and can at best be transformed, regulated or managed.

c) *Subsidy*

It is defined as money that is paid by a government or an organization to reduce the cost of producing goods and services so that their prices can be kept low (Horn by, 2005:1476). According to the writer, subsidies can be granted in agricultural area or housing projects. In his own understanding of subsidy, Agu (2009:286), saw it as a payment made by government to producers of certain goods and services, to enable them produce and sell at lower prices than they would otherwise. Agu was of the view that the policy helps to lower the market prices below the factor costs, so that consumers would have the privilege to pay less for the goods and services than they cost the producer to produce same. In the same vein, Ezeagba (2005:45) believed that subsidy exists in a situation when consumers of a particular commodity are assisted by the government to pay less than the market price of the commodity in question. On the producers' side, Ezeagba saw it as the payment to producers of certain commodities by the government not to produce at all or augment their incomes when the prices of their products are less than break-even point.

In his own definition of the concept, Ovaga (2010:117), stated that it is a device employed by government to assist either the consumers or producers to consume or produce certain commodities at prices below the prevailing market prices. According to him, it is also an incentive given to either side (consumers or producers) to consume or produce more of the goods and services.

Todaro (1980:287), in his own understanding of subsidy, saw the importance of applying it in education sector for the less privileged ones in the society. He was of the view that low income groups should be provided with sufficient subsidies to permit them to overcome the sizeable costs of schooling. The essence of the policy in this circumstance is to reduce the costs of education for the less privileged ones, thereby encouraging them to avail themselves the opportunity of benefiting from the benevolence of the government. Ruffin and Gregory (1983:354-355), saw subsidy as a vital instrument for economic development and growth in a country. They said, when a foreign government subsidizes its exports, the ultimate beneficiaries are the citizens of the country. For instance, United States, which in 1970s had comparative advantage in commercial aircraft, subsidized the export of this very product, through below-market loans to the Boeing and McDonnell Douglas Corporation. It is in the light of the above that the writers claimed that foreign export duties are gifts to the American people.

Fuel subsidy was before the coming of the Jonathan administration, a policy of federal government meant to assist the people of Nigeria to cushion the effects of their economic hardship. Conceptually, fuel subsidy seeks to enhance financial capacity but also to

accept the implied financial capacity but also to accept the implied financial losses by it in the spirit of its national responsibility to ensure the well being of the populace. In other words, if a product, like fuel, is to sell for N141 per litre, but for some considerations, it cannot be sold at that rate but at N97 per litre and if government then accepts to pay the difference between N141 and N97, that is N44, this simply means that there is a subsidy to the tune of N85 for every litre purchased at the filling stations. Hat are particularly significant about the fuel subsidy are its politics and its national and international implications. At the domestic level, both the proponents and opponents of fuel subsidy have valid theses. Secondly, both of them also maintain a non-compromising altitude. That is, while the government is talking about no alternative to removal of petrol subsidy to the opponents insist on no negotiation with government until government restores fuel subsidy which was removed on January 1, 2012 (Ikumola, 2012).

Thirdly, the disagreement over removal of fuel subsidy has led to a nationwide-strike whose implications have now gone beyond the economic considerations of oil subsidy. In fact, the international dimensions are such that Nigerian's international image has become first victim.

Beyond these considerations, the removal of oil subsidy has provided a good platform for national reflection. One of the issues is the extent of political sovereignty. This is because true sovereignty belongs to the people. The paper concludes by positing that there is no disputing the fact that both the politics of oil subsidy removal and the strike have become a compelling factor for governmental accountability and good governance. It will go a long way in defining the success of President Jonathan in 2015 and the regimes after.

III. THEORETICAL FRAMEWORK OF ANALYSIS

This work will use the Alternative Dispute Resolution (ADR) as its framework of analysis. The idea of Alternative Dispute resolution (ADR) is about the search for, and application of, "non-conventional" peaceful methods of setting disputes and resolving conflict situations using the least expensive methods, and in ways that satisfy the parties, as well as ways that preserve relationships after a settlement might have been reached. ADR is specially meant to serve as an alternative to the official conventional means of settling disputes, mainly through litigation and the courts, but with preference for non-violence.

The conflict resolution and transformation spectrum consists of a range of options employable for non-violent management of conflict. These can be classified into two, namely the voluntary processes, and

the involuntary processes. The voluntary processes are those in which parties have some control over the outcome. They include fact finding, in-depth research and case studies, facilitation, negotiation, conciliation, mediation and brokerage. The involuntary processes on the other hand, are more often than not, outside the control of the parties to the conflicted. Even though they may be non-violent, the third parties who broker the process may sometimes hand down outcomes, which the parties have to accept either in principle or in law. These options include arbitration, adjudication and law enforcement (otherwise called crisis management) using the coercive apparatus of state.

This diplomatic processes involve the use of discussions, fact-finding methods and bargaining to prevent the escalation of conflicts. Differences are resolved either directly by the contending parties themselves or with the discreet assistance of third parties. In such discussions or bargaining emphasis is on facts; the issue of law does not intrude.

Of all the procedures used to settle differences or manage conflicts, the most common and often the most effective is negotiation which ADR represents. To negotiate is to bargain; it is to confer for the purpose of reaching mutual agreement or understanding. The procedure consists basically of discussions between the interested parties. Such peaceful confrontation of the parties affords them an opportunity to present their own accounts and views of the facts of the dispute, to understand the different positions maintained by the parties and to reconcile divergent opinions. Negotiation does not involve any third party, at least when there is no difficulty in the two parties confronting each other. In this sense, it differs slightly from all the other forms of conflict management (Shaw, 1977:381)

However, the pre-requisite conditions for negotiation apply to all other diplomatic mechanisms of conflict management. The principles underlying successful negotiation also guide effective mediation and conciliation. The skills of a negotiator are germane too for a mediator and a conciliator.

The idea is to have people with institutional memories who can intervene during periods of national crisis. And so when it became imperative for the Senate to intervene we had to approach it from the point of view of maturity, the point of view of national interest and making sure that we gave our country, safeguard our unity so that we can have an atmosphere of peace. And that was why we had to initiate the dialogue between the labour and the federal government.

Information also emerged how the Office of the Special Adviser to the President on National Assembly Matters helped in ensuring that both Chambers of the National Assembly worked together with the Presidency to resolve the crisis.

Beside being seen at most venues of the talks, especially the ones held at the Presidential Villa, the

Presidential Liaison Officer to the National Assembly was visibly shutting between Senator David Mark and Hon. Aminu Tambuwal's Apo Legislative Quarters homes.

Investigation showed that the first role of the Special Adviser to the President on National Assembly Matters, Senator Joy Emodi was to ensure both chambers of the as to the approach to be adopted in resolving the crisis.

In such an important national matter, it would have been taken for granted that he leadership of both Chambers would consult on the approach and date if they had to reconvene, but it was clear from their approaches and the controversial Sunday session by the House that no consultations might have taken place.

Emodi known as the "Joy of the Senate" in her heydays in the Red Chamber, was said to have deployed the goodwill and respect she enjoys among the senators and House members and among their leadership to deploy her superb lobbying acumen towards an amicable resolution of the subsidy face-off.

Giving insights into their influence in the National Assembly, a source said: The good thing about Emodi was that beside being in the good book of the leadership of the Senate who were her former colleagues in the Upper Chamber, she also had sound relationship with both the House Leadership and other power brokers in the House of Representative for instance she worked with Speaker and the Deputy Speaker during the Constitution amendment processes in the 6th National Assembly while she also worked very closely with Hon. Farouk Lawan, who was her counterpart Chairman of the Committee on Education in the House(Eme,et.al,2012b:9).

Shortly after labour called off the strike and street protests, Emodi had acknowledged in unmistakable terms the role of the National Assembly, especially its leadership in resolving the subsidy crisis.

In an interview with news men, the Presidential adviser noted that the resolution of the subsidy dispute had "further crystallized the essence of the existing cordial working relationship between the executive and legislative arms of the Federal Government.

IV. PUMP PRICE ADJUSTMENTS IN NIGERIA AND THEIR FALLOUTS

It is rather ironic to posit that oil wealth which serves as the source of fortune for many countries is the main source of fortune for many countries is the main source of Nigeria's misfortune. At least Nigeria was economically steady and progressive before the so-called oil boom. At least there was no oil money when Nigeria went through a civil war for 30months without borrowing one kobo. Why has oil become oil doom?

In his nine years in office as Head of State, General Yakubu gwon took the price of petrol from 6kobo to 9.5kobo per litre. After him was General Murtala Ramat Muhammed who never tampered with the price of oil till his death in 1976. It was General Olusegun Obasanjo who first took fuel price by a leap moving it from 9.5kobo to 15 kobo. The regimes of Shehu Shagari and General Muhammadu Buhari maintained the status quo as they never increased fuel process and Nigeria did not fail as a nation.

When the self-styled military President Ibrahim Babangida took over in 1985, his first focus was oil. It was he who moved the price of petrol from N15kobo to 70kobo in his eight years of governance. But by far the greatest leap of oil priced in Nigeria was introduced by Chief Ernest Shonekan, an interim Head of State who took the price from 70kobo to N5.00 within the 87 days of his illegal rule (See Onanugu, 2011).

Then, General Sani Abacha forcefully hijacked power from Chief Shonekan and moved petrol from N5 to N11 within his five years in office. When Abacha died

in 1998, General Abdulsalami Abubakar became the Head of State and virtually concentrated on oil. It was he who took the price of petrol from N11 to N20 within the ten months he ruled Nigeria. When General Obasanjo returned to office as elected President in 1999, his first point of call was oil capitalization on the precedent laid by his predecessor, he went ahead to raise the price of fuel from N20 to N70 within eight years he spent in office. It was this singular action that pushed the masses to start kicking against such actions (Ofichenna, 2011).

Subsidy removal has been on since 2000 during the tenure of former NLC President, Adams Oshiomhole. The Administration of former president Olusegun Obasanjo increased petrol pump price from N11 to N30 per litre. The price hike raised a lot of dust. For eight days; the economy was at a stand still. The government later reduced the price to N20 per litre. The table below x-rays the various petrol adjustments in Nigeria since 1978.

Table 1 : Various Petrol Adjustments in Nigeria Since 1978

S/No	Date	Administration	Price	Percentage Change
1	1978	Obasanjo	15k	
2	1990	Babangida	60k	300%
3	1992	Babangida	70k	17%
4	1992	Babangida	N3.25k	364%
5	1993	Babangida	N5.00	54%
6	1994	Shonekan	N11.00	120%
7	1994 – 1998	Abacha	N11.00	-
8	1998 – 1999	Abacha	N20.00	82%
9	2000	Obasanjo	N20.00	-
10	2000	Obasanjo	N22.00	10%
11	2001	Obasanjo	N26.00	18%
12	2003	Obasanjo	N40.00	54%
13	2004	Obasanjo	N45.00	13%
14	2007	Obasanjo	N70.00	56%
15	2007 – 2009	Yar'Adua	N65.00	0.07%
16	2010 – 2012	Jonathan	N65.00	-
17	2012 till date	Jonathan	N141.00	117%

V. SUBSIDY STRIKE: ACTORS, ISSUES AND PEACE MEETINGS

The nation began to see some silver lining on the sky when on Monday 9, a day to the resumption of plenary, the Senate President, Senator David Mark succeeded in bringing the labour leaders to his Apo Legislative Quarters residence in Abuja. Although that Monday night meeting at Mark's residence failed to convince labour leaders to call off the strike, that was still in its first day, it at least succeeded in bringing out the comrades from their trenches and it marked the opening up of meaningful discussions at the highest level.

Emerging from the Parley, President of the Nigeria labour Congress, Comrade Abdul waheed Omar

said, "When windows are opening, nobody will like to miss that" (Eme, et. al, 2012b: 32) and expressed appreciation to the Senate President for his intervention.

On his part, the Senate President told newsmen that he had "very fruitful discussion"(Eme, ea. al, 2012b: 33) with the labour leaders at the meeting adding, we are making progress and whatever decision we arrive at will be in the best interest of the nation.

But if the Monday night meeting ailed to sway labour, what followed the next day gave some indications that truce was on the way. That day when the upper chamber formally resumed plenary, the senators unanimously mandated the Senate President and the body of Principal Officers to meet President Good luck Jonathan to categorically demand the immediate suspension of the fuel subsidy removal allow the

parliamentary mediation to have some verve. The Senators also asked their leaders to press it on Jonathan to shift the implementation of the subsidy removal to April 1, 2012 in the light of the prevailing circumstance.

At a closed door meeting immediately on reconvening, the senators were said to have expressed grave concern about the gridlock and near short down of the national economy which the strike action has caused the nation.

Immediately after plenary, the Senate principal officers comprising Mark, his Deputy, Senator Ike Ekweremadu; majority leader, Senator Victor Ndoma Egba; majority whip, Senator Hayatu Bello Gwarzo; Deputy majority leader, senator Abudul Ningi; Deputy majority Whip, Senator Hosea Agboola; Minority leader, Senator George Akume; Minority Whip, Senator Ganiyu Solomon; Deputy Minority Leader, Senator Abu Ibrahim and Deputy Minority Whip, Senator Ahmed Rufai Sani, got cracking and again got the labour leaders to attend another late evening meeting at the Senate president's residence.

The meeting which lasted more than four hours was described by NLC President Omar as very useful deliberation. Although it also failed to achieve any concrete breakthrough in the move to get the unionist to suspend the strike, the fact that labour even honored the government's invitation to attend the meeting, according to Omar was "an indication that labour is already shifting ground

January 10, however marked the crescendo of the senators' sustained move to help end the labour government face off as they participated in three different meetings, one each separately with labour and the federal government and one together with the two parties.

The dispute was close to resolution as each of the disputants during the three-prong meeting showed sufficient readiness to make concessions, to shift some grounds.

It began with the early morning meeting between Mark and his team on one hand and President Jonathan and his team on the other. After the meeting, the lawmakers held another meeting with the labour at noon at which the later were briefed on the outcome of the early morning meeting, the senators had with the President's team.

Emerging from the noon parley that lasted about 30 minutes, NLC President Omar and Senate President Mark expressed optimism for an early resolution of the dispute.

Mark told newsmen,

Our role actually has been one of trying to get government and labour together to get to round table to talk to reach decision and call off the

strike. That has been our role and that is precisely what we are doing. We met with the President in the morning and then we met with labour now and they have agreed to meet and that is a giant step forward. It is really a big step which has not come easy at all. All I can say is that we can see the light of the end of the tunnel (Eme, et. al, 2012a: 8)

On his part, Omar said: we appreciate their intervention and we have just done one leg of this meeting. *We are also going to continue the meeting at a different venue at 5pm (Thursday)*"(Eme,et.al,2012a:9).

The "different venue" alluded to by Omar later turned out to be Aso Villa and the participants included the President's team, the lawmakers and the labour leaders. It was indeed the mother of all negotiations and one which anxious Nigerians believed held the ace to the final resolution of the extant crisis.

However, in continuation of the reconciliatory efforts to stave off further protests by organized labour and civil society groups over the fuel subsidy removal, Mark, after church service on Sunday January 15 hosted another high-powered meeting of government officials at his Apo Legislative Quarters residence in Abuja.

The meeting attended by federal government official and representatives of the Nigerian Governors Forum (NGF), was convened to review government's new position on its negotiation with labour leaders that broke down on Saturday night.

The new position entailed shifting more grounds to labour demand to avert the resumption of the strike the following day after the weekend partial truce.

At the Saturday night's parley between government and labour at the Aso Villa, labour was said to have remained adamant that the price of petrol must revert to N 65 per litre before any meaningful negotiation could take place, a position that was not acceptable to government.

However, emerging from the meeting, which lasted more than three hours, the Chairman of the Governors' Forum Governor Chibuike Amaechi of River State expressed optimism that compromise was on the way and urged Nigerians to exercise patient as *"something concrete could still come up between now (3.00 pm that Sunday) and 12.00 midnight"* (Eme, et. al, 2012b: 48).

Other who attended the meeting included Speaker of the House of Representatives, Hon. Aminu Tambuwa, Deputy Senate President, Senator Ike Ekweremadu, Deputy Speaker of the House of Representatives, Hon. Emeka Ihedioha, Senate Leader, Senator Victor Ndoma-Egba, Governor Peter Obi of Anambra State, Minister of Labour, Chief Emeka Wogu and his information counterpart, Mr. Labaran Maku.

And just as Amaechi hinted, the truce finally came after the midnight meeting with President

Goodluck Jonathan making an early morning nationwide televised broadcast to announce the historical ceasefire.

Speaking to reporters in an exclusive interview on the role played by the lawmakers in bringing normalcy back to the polity after the week-long stand-off, Deputy Senate President, Senator Ike Ekweremadu, who participated actively all the peace meetings, described the role played by the National Assembly as "a historical responsibility".

He said,

For us in the National Assembly, we consider it our responsibility to intervene when the country seems to be boiling. We have done that in the past and it yielded results during the time when our Late President Umaru Yar' Adua was ill, and the country expected us again to intervene at the critical moment of the fuel subsidy removal crisis (Eme et al, 2012a: 9).

Ekweremadu specially pointed out that what the senators, in particular, did was in tune with the concept of having an upper legislative house. He said, the country expects that in times of national crisis the upper legislative house needs to intervene. In other countries with similar legislative body have the same scenario of more elderly people, more experienced people occupying seats in the Senate. In the U.S, Senators are elected for years. So, when as a senator you've been there for three to four terms, you are looking at about 20 to 30 years being in the Senate. In other places, senators are elected for life like in Canada and the United Kingdom where you have the House of lords. The idea is to have people with institutional memories who can intervene during periods of national crisis. And so when it became imperative for the Senate to intervene we had to approach it from the point of view of maturity, the point of view of national interest and making sure that we gave our country, safeguard our unity so that we can have an atmosphere of peace. And that was why we had to initiate the dialogue between the labour and the federal government.

Information also emerged how the Office of the Special Adviser to the President on National Assembly Matters helped in ensuring that both Chambers of the National Assembly worked together with the Presidency to resolve the crisis.

Beside being seen at most venues of the talks, especially the ones held at the Presidential Villa, the Presidential Liaison Officer to the National Assembly was visibly shutting between Senator David Mark and Hon. Aminu Tambuwal's Apo Legislative Quarters homes.

Investigation showed that the first role of the Special Adviser to the President on National Assembly Matters, Senator Joy Emodi was to ensure both chambers of the assembly as to the approach to be adopted in resolving the crisis.

In such an important national matter, it would have been taken for granted that the leadership of both Chambers would consult on the approach and date if they had to reconvene, but it was clear from their approaches and the controversial Sunday session by the House that no consultations might have taken place.

Emodi known as the "Joy of the Senate" in her heydays in the Red Chamber, was said to have deployed the goodwill and respect she enjoys among the senators and House members and among their leadership to deploy her superb lobbying acumen towards an amicable resolution of the subsidy face-off.

Giving insights into their influence in the National Assembly, a source said: The good thing about Emodi was that beside being in the good book of the leadership of the Senate who were her former colleagues in the Upper Chamber, she also had sound relationship with both the House Leadership and other power brokers in the House of Representatives for instance she worked with Speaker and the Deputy Speaker during the Constitution amendment processes in the 6th National Assembly while she also worked very closely with Hon. Farouk Lawan, who was her counterpart Chairman of the Committee on Education in the House (Eme, et al, 2012b:9).

Shortly after labour called off the strike and street protests, Emodi had acknowledged in unmistakable terms the role of the National Assembly, especially its leadership in resolving the subsidy crisis.

In an interview with our correspondent, the Presidential adviser noted that the resolution of the subsidy dispute had "further crystallized the essence of the existing cordial working relationship between the executive and legislative arms of the Federal Government.

Emodi, who also hailed the maturity and understanding shown by President Jonathan and the leadership of organized labour, aid members of the National Assembly proved themselves to be true representative of the people with national interest at heart.

Emodi who described President Jonathan as a democrat committed to the wellbeing of the masses and cordial executive and legislative relationship, which her office has been working to promote, said the manner in which both arms of government rallied to resolve the dispute had reaffirmed her position that the executive and the legislature need to always work together as partners in progress to move the nation forward.

a) *Now, What Next?*

After the resolution of the crisis, the next question is: What is the way forward now in the light of the present circumstance? President Goodluck Jonathan in his speech enunciated several policy actions, which, according to him, would ameliorate the pains of the eventual total removal of subsidy. That being the case; what will be the role of the National

Assembly in the circumstance, especially against the backdrop of the role in played in bringing about the settlement of the subsidy dispute?

In this regard, the House of Representatives seek to work in partnership and harmony with the Senate of the Federal Republic of Nigeria to legislate for the common good and in the greater interest of the Nigerian people. They also seek the cooperation of other arms of government, particularly the Executive, in order to improve living conditions in Nigeria and make the government more responsive to the needs of the people. The legislative agenda of the House of Representatives for instance aim at reviving and diversifying the economy, generating employment, strengthening our national security, curbing corruption, tackling the electricity crisis and general infrastructural decay that confront us, improving our health and educational sectors and work to achieve the Millennium Development Goals (MDGs). The agenda also emphasised the importance of amending the Constitution to address several areas of concern. Our legislative agenda will be people-centred and correspond to the expectations of Nigerians.

Therefore the National Assembly seeks to do things differently and reverse the notion of business-as-usual approach that has been a source of worry to our people. According to the House, it promised to be sensitive to what the Nigerian people want and increase the public sensitivity quotient. Put differently, The Seventh House of Representatives seeks to build a new image for the legislature – a strong, vibrant and effective legislature, able to assert itself as an important partner with other arms of government in the delivery of good governance, due process and rule of law.

Senate's spokesman, Senator Enyinnaya Abaribe, who was confronted with these posers, said the way forward now is that subsequent budgets would have to be tinkered with in the light of the President's speech. He said, precisely, what will be done is to reduce the recurrent expenditure and increase the capital budget, particularly in roads and infrastructure in view of the anticipated increased in the Medium Term Expenditure Framework. It will also reflect the change in the oil bench mark, which will be increased from \$ 75 per barrel of crusade oil. All these he stated are measures that have to be fast tracked to take care of the painful effect of subsidy removal (Eme, et.al, 2012a: 12).

Again Abaribe said the efforts would assuage the fears of the people that the recent settlement of the dispute was pyrrhic and one that will not last. The Senate spokesman however assured that the Senate on its own would tighten its oversight functions, to bring it in tandem with the renewed commitment to sanitize the system and fight corruption. He concluded that the Senate will channel the oversight function properly especially focus in the petroleum industry to checkmate

any inherent profligacy and plug the leakages that have been witnessed in recent times.

VI. RECOMMENDATIONS

Based on the above analysis, the underlisted recommendations are recommended:

The National Assembly and the Nigerian People certainly have challenges particularly in the areas of oil theft, the economy and security and for the polity to make progress and win the hearts and minds of the people, government must intensify the provision of social amenities in those areas where they are lacking. To achieve this, the National Assembly must do everything possible to address squarely, socio-economic needs of our people with determination and sincerity, honesty and transparency.

More than ever before, the populace expects the National Assembly to adopt a bipartisan approach and to rise above narrow and parochial considerations in its deliberations.

The National Assembly pledges to stand by the Nigerian people, at all times and in all circumstances; this is the least they can and must do. This commitment to patriotically stand with the people as their elected Representatives and should also influence every moderating intervention they make to stabilize the polity.

The National Assembly should review legislative branch budget in line with the requirements of openness, effectiveness and accountability in order to reduce cost of governance in Nigeria. .

The National Assembly should review the 1999 Constitution in all relevant areas to facilitate the implementation of the Senate and House of Representatives legislative agenda and in line with the aspirations of Nigerians and engage actively with other arms of government to restore public order and national security, and

The National Assembly should institution- alise mechanisms that will facilitate more effective engagement with various stakeholders including constituents and Civil Society Organisations (CSOs) and those indicted by National Assembly investigative panels on subsidy scam should be prosecuted.

VII. CONCLUSION

Government appears adamant in the quest to remove fuel subsidy. The people are equally resolved in its opposition to the removal of subsidy. Nigeria is up for the rough times ahead. The time has come for the final determination whether those in government derive their power from the people or whether they are independent and owe their stay in power to other entities other than the people.

It is unfortunate that the populace must at this point in time be forced to confront government as a

result of the latter's unviable and self serving economic policies. Government is not in the business of making a profit for itself and her cronies and sponsors who are in the oil industry. If anything untoward happens in the course of this protest, then the blood of innocent Nigerians is on the head of President Jonathan. In every democracy, a leader or leaders must govern according to the will of the people. No leader has a monopoly of knowledge of wisdom over and above the people that put him there. At all times government must remain respectful and accountable to the will of the people or face the consequences.

I am deeply impressed by the brilliant leadership and resilient mediatory support of the National Assembly leadership in the course of the whole impasse and it is my expectation that this experience will strengthen our democracy and usher in a new path in our quest for national development.

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