

What Factors Drive Legislators' Response to Crises? Evaluating Actions and Behaviour under a Violent Protest Climate in Nigeria

Temitayo Isaac Odeyemi and Boluwatife Solomon Ajibola

Abstract

What are the factors that drive how legislative actors respond and manage protests during social movements? Protests are taken as a feature of democratic expression. However, when they escalate into extreme violence, threatening lives and property, they also impact on how legislators as key governance actors channel the direction of their choices. Among many theoretical explanations, we single out the rational choice theory (RCT) as an analytical framework to assess Nigeria's 2020 #EndSARS protests. This is because of the RCT's explanatory focus on how macro-societal, meso-institutional and micro-individual level factors shape actors' preferences, limiting decision making options. During #EndSARS, legislators and legislative symbols were targeted by peaceful and violent protesters alike, and we draw on this to analyse the extent to which the RCT provides explanations for legislative behaviour and the rationality of legislative choices on the one hand, and how the actions demonstrate legislative preferences in responses to protesters, on the other hand. Drawing on secondary data sources complemented with interviews with legislators, we argue instead that the explanations to variations and similarities in the behaviour of legislators during violent protests are largely domiciled at an adjusted meso-level of action where new stakeholders, interests and complex decision-making problems. This, in turn, limits alternatives, patronage and the wider engagement that should inform legislative interventions. To navigate this, legislators adopt a collective than individualised approach to engaging with protest stakeholders.

Keywords: #EndSARS, legislature, protests, rational choice theory, Nigeria.

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Introduction

Past episodes of protests and demonstrations in Africa have presented opportunities to interrogate issues that are protested, the actors involved in those exercises, their violent or non-violent nature, and, importantly, their outcomes. However, an aspect at the heart of these are the institutions and state actors that are often targeted by protesters. Incidences of social movement (SM) violence or their associated threats to life and communal peace do not exist in isolation of state apparatuses. In other words, targeted institutions or state actors during protests are abstractions of the desired responses or outcomes by protesters. Their actions also determine how protests galvanise support and develop into violent or non-violent nature, which further implicates the kinds of outcomes that are witnessed. This creates an agenda for SMs and legislative researchers to interrogate the interrelations between protest rhythms and legislative actions, particularly in developing country contexts.

Evidence across contexts suggest that protests across the world are often targeted at certain institutions or actors of the government, either in anticipation of some forms of action, as first responders, or as on-the-side casualties of demonstrations of vexation.¹ As such, SM targets can extend from political actors holding executive powers to dictators in authoritarian regimes and to other government representatives in democratic and hybrid states. Meanwhile, popular among these targets are policymakers and legislators. It is, however, interesting that as far as we know, little or no attention has been devoted by academic research to the legislative behaviour and rationalities that accompany the violent targeting of the legislature under a protest climate.

On the ground that changes sought by protesters can arguably most times be addressed by introducing suitable policies or by key policy reviews, it is worth interrogating not just why protesters target the legislative institution but also the series of actions taken by the institution in response to SM demands or protest-induced crises. By legislative institution here, this study refers to the ideals that a legislator stands for, the infrastructure of the parliament, individual legislators and their personal properties, and in fact, other clerical and administrative staff that work in the parliament. This paucity in the body of research on SMs and legislative studies informed a recent research which conceived the legislator as a target and mediator of ensuing outcomes during social emergencies in Africa.²

¹ Daniel Gillion, "Protest and Congressional Behaviour: Assessing Racial and Ethnic Minority Protests in the District," *The Journal of Politics* 74, no. 4 (2012): 950-962, doi: 10.1017/S0022381612000539.

² Boluwatife Solomon Ajibola and Temitayo Isaac Odeyemi, "The Legislature as Target and Mediator of Ensnuing Outcomes during Social Emergencies: Revisiting Nigeria's #EndSARS Protest," *The Theory and Practice of Legislation* 10, no. 2 (2022): 117-146, doi: 10.1080/20508840.2022.2093496.

In this study, Boluwatife Ajibola and Temitayo Odeyemi situated legislative institutions within the social emergencies that SMs could stir, using Nigeria's #EndSARS protest as a paradigm through which they conceptualised a twin social emergency—the social injustice that was being protested and the violence that the protests escalated into. In their quest to understand what explains protesters' violent targeting of legislative institutions and actors during demonstrations and in what ways legislative institutions and actors mediate protest prospects and progression, the study arrived at a *political neighbours hypothesis* which emplaces legislators and legislative institutions as vulnerable to both appellations and attacks given their close proximities to the people they represent—proximities by location and essence. While this research addresses a gap in current SM literature, little is known about the roles that African legislatures indeed play during SMs, particularly during human rights emergencies. By emergencies here, the current article refers to social injustices now profiled as *pandemics* in Africa on the one hand and the series of ensuing crises requiring the intervention of key governance actors, including legislators. More specifically, there is the need to understand the myriad of factors that influence those roles played and the veracities that either constrain or limit the institutional capacity and preparedness of legislators to respond to protest demands.

To demonstrate the theoretical implications of the arguments presented in this study, the authors adopt the rational choice theory (RCT) and attempt its cross-fertilization with theoretical interpretations of political behaviour. How does the RCT help us understand legislative behaviour under heated protest climates? This area has been quite unexplored, and the RCT, in particular, has only mostly been applied in the study of the US Congress.³ Whilst many rational choice literature in legislative studies have dealt with coalitions and voting, there is less attention drawn to its application to the study of contemporary SMs in relation to their engagements with legislatures. With a fundamental assumption of the RCT being that politics is inextricably involved with the act of choosing—choices that can be based on preferences or personal interests, what manifestations of legislative preferences do we see in the response of the legislature to SMs? And are these preferences or choices products of ranked alternatives? Based on these assumptions, it is interesting to see how the model facilitates a rethinking of how legislative actions and inactions are understood or interpreted in academic research. This approach also offers fresh nuances to the conceptualisation of legislative behaviour under the fluid realities that SMs present.

While existing SM literature have documented extensively on western protest dynamics, with extant theoretical sentiments shaped by western

³ Thomas Saalfeld, "Rational choice Theory in Legislative Studies: Models of Politics without Romanticism," *The Journal of Legislative Studies* 1, no. 1 (1995): 32-64, doi: 10.1080/13572339508420414.

researchers and events, it is now important that African dimensions are introduced into this landscape to either challenge finalised notions or corroborate others. Hence, this study draws on Nigeria's 2020 #EndSARS protest. Being a unique protest episode in Nigeria's recent history, the #EndSARS protest registered a myriad of dynamics that challenge both traditional perceptions of activism and, at the same time, reinforces perspectives underlying new SM theories. It is imperative that new research in pursuit of answers to questions within the boundaries of democratic resilience, legislative engagement, and public mobilisation maximise empirics supplied by the #EndSARS protest to extend the frontiers of knowledge in those respective areas, as this study does.

This study draws essentially on secondary data sources including academic literature and other open-source information on the #EndSARS protests, drawn from online and print media. Prominent Nigerian media outlets who had a robust coverage of the #EndSARS events, and their subsequent publications were utilised to provide empirical evidence. They also enabled the grounding of theoretical positions held by this paper in the #EndSARS reality. There were complemented with interviews with selected Lagos State House of Assembly members and lawmakers from Lagos State in the National Assembly. Lagos was the main theatre of the protests and of interactions between the state and the protesters.⁴ The legislators were not only recognised as the most active channels through which the movement could engage with the state, but also as central to the eventual outcomes. Nine legislators were interviewed between April and June, 2021. They had granted consent to share their experiences during their engagements with protesters and the decision circles during the period. It was an opportunity to engage with an African dimension to the RCT in the study of legislative behaviour. In all, the complementarity of the interview data to the issues and themes that emerged from the secondary data reinforces confidence in the strength of the findings.

Legislative Behaviour in the Face of Protests

There are existing evidence to support the influence that protests have on legislative behaviour.⁵ The extent of connection that a protest objective has to the constituency and constituents of a legislator has been found to determine the kind of representation that the latter will deliver for protesters.⁶ On another

⁴ Ifeoluwa Adediran, "How Hoodlums Took Advantage of #EndSARS, Wreaked Havoc in Lagos," *Premium Times* (October 25, 2020), <https://www.premiumtimesng.com/news/headlines/422983-how-hoodlums-took-advantage-of-endsars-wreaked-havoc-in-lagos.html> (accessed March 20, 2023).

⁵ LaGina Gause, "Revealing Issue Salience via Costly Protest: How Legislative Behavior Following Protest Advantages Low-resource Groups," *British Journal of Political Science* 52, no. 1 (2022): 259-279, doi: 10.1017/S0007123420000423.

⁶ Brandice Canes-Wrone, "The President's Legislative Influence from Public Appeals," *American Journal of Political Science* 45, no. 2 (2001): 313-329, doi: 10.2307/2669343.

hand as well, there could be the possibility of legislative behaviour aligning with movements arising from minoritised and disadvantaged groups, as opposed to political parties who are less likely to appeal to low-resource groups.⁷ This can be attributed to the yearnings of those legislators to take advantage of the likely vulnerabilities of these groups as they [legislators] pursue their interests.

The foregoing are symptoms of the ambitious nature of legislators. This has informed research into how the behaviour of legislators change when they suddenly learn that they will not get renominated by their parties.⁸ Other researchers⁹ have equally demonstrated that the behaviour of politicians responds to election incentives. Hence, in line with extant narratives in the legislative studies literature,¹⁰ the ambitions of legislators condition their behaviour. What incentivises the interest of legislators in retaining their seats? Roc o Titiunik¹¹ contends that term length gives legislators a crucial time frame within which to accomplish political and policy objectives, which in turn produces incentives that could have a fundamental impact on all aspects of the political system, from individual behaviour to overall results. The structures of some parliaments also provide an environment for the nursing of ambitions. For example, Stephen Meserve et al. believe that the institutional structure of the European Parliament is unique in how it shapes legislative careers. Hence, they contend that certain individual, domestic, and national level variables shape the career opportunities available to legislators and consequently their legislative behaviour.¹² The progressive ambition of legislators and their quest to advance to more powerful positions incentivise their commitment to satisfying their current and future constituents. As put by Stephen Meserve et al., “politicians anticipating only minor chances to move to more important offices, however, have little incentive to support legislation specifically targeting future constituents.”¹³

⁷ John D. Griffin and Brian Newman, *Minority Report: Evaluating Political Equality in America*, American Politics and Political Economy Series (Chicago, IL: University of Chicago Press, 2008).

⁸ Jon H. Fiva and Oda Nedreg ard, “How Does Party Discipline Affect Legislative behaviour? Evidence from Within-Session Variation in Lame Duck Status,” *CESifo Working Paper*, no. 9697 (2022), <https://www.cesifo.org/node/69191> (accessed March 25, 2023).

⁹ Ernesto Dal B o and Mart n A. Rossi, “Term Length and the Effort of Politicians,” *The Review of Economic Studies* 78, no. 4 (2011): 1237-1263, doi: 10.1093/restud/rdr010; Roc o Titiunik, “Drawing Your Senator from a Jar: Term Length and Legislative Behaviour,” *Political Science Research and Methods* 4, no. 2 (2016): 293-316.

¹⁰ Emma Crewe, *The Anthropology of Parliaments: Entanglements in Democratic Politics* (London and New York: Routledge, 2021).

¹¹ Titiunik, “Drawing Your Senator from a Jar,” 293.

¹² Stephen A. Meserve, Daniel Pemstein, and William T. Bernhard, “Political Ambition and Legislative Behaviour in the European Parliament,” *The Journal of Politics* 71, no. 3 (2009): 1015-1032, doi: 10.1017/S0022381609090859.

¹³ Meserve, Pemstein, and Bernhard, “Political Ambition and Legislative Behaviour in the European Parliament,” 1016.

Furthermore, legislators seeking re-election or some kind of political advantage from their constituents can also leverage protests as a political resource.¹⁴ In other words, likely electoral repercussions provide prompts to legislators to behave in certain ways or to be responsive to protest demands.¹⁵ This is an indication of the contractual formations of public office, which sometimes inform the choice of policymakers and legislators as targets by disgruntled elements seeking some form of change. While it is admissible that the demands of a movement arising from a constituency might not be a reflection of the preferences of all the constituents therein, political and likely electoral expediences are triggers for legislative action. Meanwhile, if this is a popular diagnosis of how legislative behaviour is fashioned, why then are certain legislative actions slackened even in the face of social emergencies that violent demonstrations create? According to the ambition theory, politicians' decisions depend on the advantages of alternative positions and their likelihood of attaining them.¹⁶ A need is thus created to account for how protest incidences provide avenues for legislators to prove their suitability for alternative and more prestigious positions based on how they respond to the demands of protesters. In line with the argument that electoral incentives influence how legislators allocate effort in important ways,¹⁷ the need also arises to evaluate the efforts and actions of legislators seeking re-election during the immediate election cycle that succeeds the #EndSARs protest in Nigeria.

Studies on the European Parliament and the US congress have argued that the institutional structure of a parliament can lay foundations for strong ties between legislators and their constituents.¹⁸ There are occasions where legislators are torn between serving their constituents or their parties, whereby they have to switch roles between being a delegate [for their constituency] or a trustee [who makes decisions based on their own conscience or in the interest of their parties]. In this case, the institutional structure of the parliament appears to shape the loyalty and characteristic behaviour of legislators and how they play between their constituents and parties, particularly those who seek to potentially draw on electoral support from their constituents or leverage party structures as pedestals to electoral victories. Under the circumstances or

¹⁴ Ken Kollman, *Outside Lobbying: Public Opinion and Interest Group Strategies* (Princeton: Princeton University Press, 1998).

¹⁵ Meserve, Pemstein, and Bernhard, "Political Ambition and Legislative Behaviour in the European Parliament," 1015.

¹⁶ Ulrich Sieberer and Wolfgang C. Müller, "Aiming Higher: The Consequences of Progressive Ambition among MPs in European Parliaments," *European Political Science Review* 9, no. 1 (2017): 27-50, doi: 10.1017/S1755773915000260.

¹⁷ Andrew B. Hall and Alexander Fourniaies, "How Do Electoral Incentives Affect Legislator Behavior?" *Working Paper* (2018), https://www.andrewbenjaminhall.com/Fourniaies_Hall_Electoral_Incentives.pdf (accessed March 14, 2023).

¹⁸ Eric M. Uslaner and Thomas Zittel, "Comparative Legislative Behaviour," in *The Oxford Handbook of Political Science*, ed. Robert Goodin (Oxford: Oxford University Press, 2013), 392-408, doi: 10.1093/oxfordhb/9780199604456.013.0020.

emergencies that SMs create, legislators are confronted with issues requiring urgent action—further calling to question where their loyalties lie. On the basis of the close proximities of legislators to constituents where protests emerge from, as indicated by the political neighbors hypothesis,¹⁹ are they rendered vulnerable to losing their local strongholds, support bases, and subsequently, electoral contests, based on how they respond to protesters?

The legislative body is reckoned as a vital area of state behaviour that affect ‘the authoritative allocation of values for a society’, as put by David Easton.²⁰ Belknap²¹ further articulates this by adding that “the behaviours of legislators are clearly consequential in the determination of such value allocations as tax relief, social services, and security from foreign threat. The legislative body is seen also as a social system involving structured sets of behaviour. The posited structure implies that uniformities can be traced in the legislative sub-set of all the behaviours which determine our value allocations”. Here is an indication of the connections between regularities in legislative behaviour and how they are standardized across units, particularly in the ways that they reflect on the values that are allocated. Thus, and in the context of SMs, it can be assumed that protesters are likely to experience uniformities in the response patterns of different subnational legislative entities, who, in most cases, draw their motivation from the central legislative body. It further raises the question about other manifestations of inconsistency in the positions and value preferences of subnational and national legislatures essentially under what circumstances those manifestations are pervasive.

The degree to which legislative behaviour is structured by partisan control has also been factored into considerations about legislative preferences and actions.²² As such, it has been argued that legislators from different parties rarely collaborate on broadly shared goals, as they sometimes individually stay unbound about their beliefs, depending on the ideological spectrum within which they fall.²³ Abby Rapoport further opines about the US legislative system that, in the past, party affiliation was not the only factor used to determine the ideological leanings of state legislators. The likelihood is that a legislator will also support progressive taxation and abortion rights if they support

¹⁹ Ajibola and Odeyemi, “The Legislature as Target and Mediator of Ensuing Outcomes during Social Emergencies,” 117.

²⁰ David Easton, *A Systems Analysis of Political Life* (New York: John Wiley, 1965).

²¹ George M. Belknap, “A Method for Analyzing Legislative Behaviour,” *Midwest Journal of Political Science* 2, no. 4 (1958): 377-402, doi: 10.2307/2108722.

²² Michael Latner, Alexander M. Dekhtyar, Foaad Khosmood, Nicole Angelini, and Andrew Voorhees, “Measuring Legislative Behaviour: An Exploration of Digitaldemocracy.org,” *California Journal of Politics and Policy* 9 (October 31, 2017), <https://doi.org/10.5070/P2CJPP9336921> (accessed March 17, 2023).

²³ Abby Rapoport, “Three Reasons Why State Polarization Is a Big Deal,” *The American Prospect* (May 29, 2013), <https://prospect.org/api/content/9966fe46-0b46-584a-8fd1-3097af1a822d/> (accessed March 12, 2023).

affirmative action. Inferentially, differences in how legislators behave are not only perceptible through their ideological orientations and across party lines, as those can also be observed based on the legislative levels that they operate in—either at the national or subnational levels. This informs the assumption that the dynamics of operation at national and subnational levels shape how legislators engage with their constituents or choose to respond to their demands. It can also reflect how both layers of legislatures are polarised along certain lines. Quite interestingly, there is a dearth of research on how these dynamics play out in sub-Saharan Africa, as existing research²⁴ overwhelmingly focus on Western realities.

There is also a gender dimension to legislative behaviour, which has been explored in the context of the traditional notions of competitive democracy and how collaborations among legislators are gendered.²⁵ Tiffany Barnes explains how women can drive influence through the power of collaboration than their male counterparts would ordinarily do. This is in response to the behavioural question about why female legislators are more inclined to collaborate than their male counterparts. Tiffany Barnes contends that they do collaborate more than men because of institutional hurdles that limit the ability of women to influence the policy-making process. Together, they may overcome institutional obstacles and rise to positions of political power. This notion is corroborated by others who support that women bring ‘collaborative and inclusive leadership styles into political environments that are often characterised by division and one-upmanship’,²⁶ or are defined by characteristics that are less confrontational and less partisan.²⁷ Drawing on an analysis of Argentina—the first country to adopt legislative gender quotas, Tiffany Barnes²⁸ compares women’s legislative behaviour at the provincial level in order to capture variation in institutional contexts within a single case. The study argues that notwithstanding the advantages of collaboration, female legislators’ patterns of collaboration vary because not all women have equal opportunity. Women’s collaboration is either facilitated or restricted by various legislative frameworks. Based on the findings above, explorations into gendered legislative behaviour can open up new corridors to understanding and interpreting legislative actions and the

²⁴ Michael L. Mezey, “Legislatures in Western Democracies: A Review Article,” *Legislative Studies Quarterly* 3, no. 2 (1978): 335-352, doi: 10.2307/439535.

²⁵ Tiffany D. Barnes, *Gendering Legislative Behaviour: Institutional Constraints and Collaboration* (Cambridge: Cambridge University Press, 2016), doi: 10.1017/CBO9781316534281.

²⁶ Minna Cowper-Cowles, “Women Political Leaders: The Impact of Gender on Democracy,” Westminster Foundation for Democracy (March 25, 2021), <https://www.wfd.org/what-we-do/resources/women-political-leaders-impact-gender-democracy> (accessed March 13, 2023).

²⁷ Rosamund Shreeves and Nessa Boland, “Women in Politics in the EU: State of Play,” *European Parliament Briefing* (2021), [https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/689345/EPRS_BRI\(2021\)689345_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/689345/EPRS_BRI(2021)689345_EN.pdf) (accessed January 15, 2023).

²⁸ Barnes, *Gendering Legislative Behaviour*.

opinions or gendered perceptions that shape them. These punctuate patterns that this study observes in the analysis of legislative behaviour during SMs.

Beyond the devotion of some research to the substance of the performance of legislative functions such as policy making, constituency service, and oversight functions,²⁹ others have demonstrated interest in probing norms and behaviours that are characteristic of legislators and that consequently implicate their preferences or actions, as reported above. The foregoing also points to the behavioural underpinnings of policy-making, constituency service, and oversight duties by legislators. However, despite the avalanche of theoretical arguments and findings about the different dynamics that condition legislative behaviour, the translation of this behaviour into concrete actions remains to be accounted for within academic documentation. More importantly, are the actualities that emerge from protests and exasperated constituents which prompt some legislative actions—actions that manifest either as statements or decisions of individual legislators or as policies of the legislative institution. Again, in the context of SMs, particularly those marked by violence and social emergencies, to what extent are legislative actions a reflection of individual and institutional legislative behaviour?

Legislative Behaviour and the Rational Choice Theory: Intersecting the Issues

The RCT has been adopted as a paradigm in the social and decision sciences to explain the actions and choices of real-world agents.³⁰ Arguably, it provides informative and explanatory insights into observed choices over many alternative approaches. As such, some theorists have argued that it should be regarded as the “best starting point to formulate a theoretical hypothesis on the micro-foundations of complex macro-level social dynamics”.³¹ Although critics of the theory have severally built on varied applications of the model to argue against its inherent potential to explain choices,³² other proponents have upheld its revolutionary possibilities in the field of Political Science.³³ On the background of an understanding of the multiple divides that exist to the perspectives shared by scholars on the RCT, and without prejudice against

²⁹ Alan Rosenthal, “Legislative Behaviour and Legislative Oversight,” *Legislative Studies Quarterly* 6, no. 1 (1981): 115-131, doi: 10.2307/439716.

³⁰ Roberto Fumagalli, “How Thin Rational Choice Theory Explains Choices,” *Studies in History and Philosophy of Science Part A* 83 (2020): 63-74, doi: 10.1016/j.shpsa.2020.03.003.

³¹ Gianluca Manzo, “Is Rational Choice Theory Still a Rational Choice of Theory? A Response to Opp,” *Social Science Information* 52, no. 3 (September 1, 2013): 361-382, doi: 10.1177/0539018413488477.

³² Fumagalli, “How Thin Rational Choice Theory Explains Choices,” 64.

³³ Amanda Driscoll and Mona Lena Krook, “Feminism and Rational Choice Theory,” *European Political Science Review* 4, no. 2 (2012): 195-216, doi: 10.1017/S175577391100018X; Keith Dowding, *Rational Choice and Political Power* (Bristol: Bristol University Press, 2019).

the economic language and mathematical formalism of the RCT, this study pursues the creation of new contours to how certain aspects can be applied to interpreting behaviour. Thus, this study explores what the intersection of theoretical connotations of the RCT and political behaviour contributes newly to the study of legislative behaviour under unprecedented and emergency protest situations.

An RCT that has been acknowledged as “the orthodoxy in economic theory” is that implied by the theory of revealed preferences. This RCT portrays the choices of actors as driven by their beliefs, preferences, and constraints. Of these three, preferences are argued to be the most important since the notion of an actor’s rationality is defined by the properties that preferences must satisfy.³⁴ Going by Gianluca Manzo’s clarifications on these properties, the first is *completeness*. It is the expectation that the actor is always able to build an order among alternatives though not necessarily a total one. The second is *transitivity* which states that if the actor prefers A to B and then B to C, then they should prefer A to C. The third property is the *independence of irrelevant alternatives*. If the actor favours A over B, they must maintain this preference when C is added to the list of options. The fourth is *temporal stability* (if the actor prefers A over B at time, t , then they should prefer A over B at $t + n$). The fifth is *causal independence between feasibility and desirability* which refers to the accessibility of A/B should not determine if the actor will change the order between A and B. It is then concluded that the actor’s preferences are consistent if they meet the above requirements. As such, the consistency of an actor’s preferences is a reflection of the rationality of their choices.³⁵

Actors are believed to construct “bayesian” or “subjective priors,” which are estimates of the likelihood of these payoffs/consequences when they must evaluate alternatives whose payoffs and/or consequences are uncertain. In fact, these assumptions are largely responsible for the content of actors’ views. When preference consistency is used to define actors’ rationality, the utility maximisation principle ceases to be a substantive hypothesis intended to explain actors’ conduct and instead becomes merely a logical result of preference consistency. Furthermore, one of the strongest and most profound conclusions of neo-classical economics is arguably the mathematical demonstration that utility maximisation simply follows from preference consistency (and vice versa).³⁶ However, preference stability stands as one of the most contested assumptions on which studies apply the strategy that Gianluca Manzo calls ‘turn-irrationality-into-rationality’.³⁷ This stems from the probabilities of actors modifying their priorities as a function of when the reward will be realised. Another illustration that explains this is that when actors are given

³⁴ Manzo, “Is Rational Choice Theory Still a Rational Choice of Theory?” 361.

³⁵ Ken Binmore, *Rational Decisions* (Princeton: Princeton University Press, 2008).

³⁶ Itzhak Gilboa, *Rational Choice* (Cambridge, MA: The MIT Press, 2010).

³⁷ Manzo, “Is Rational Choice Theory Still a Rational Choice of Theory?” 365.

the choice between X and Y, with Y being greater than X and being gained sometime after X, a sizable majority of actors choose Y over X if the reward is delivered in the far future, whereas they choose X over Y if the reward is supplied in the immediate future. The above assumptions are symptoms of timings associated to actors' perceptions of the magnitude of rewards linked to options available to them. As Gintis expressed, time inconsistency is important in modeling human behaviour.³⁸

The use of the RCT has, in recent decades, been extended to the study of political systems, including legislatures. Some classical studies within this landscape have been cited to include the analysis of the behaviour of political parties and publics by Anthony Downs,³⁹ and the assessment of collective action problems by Mancur Olson.⁴⁰ The model has also been used specifically in the study of legislative behaviour in the United States. Drawing on the fundamental assumption of the RCT about politics being inextricably linked to the act of choosing, the interpretations of theorists about the political phenomena are based on the behavioural inference that actors (individuals, states and organisations, e.t.c) are rational and therefore make choices based on their own preferences.⁴¹ Thus, it is assumed that a goal-seeking actor will make a decision after engaging in three different processes: cognition, evaluation, and selection. By cognition, actors analyse a situation and consider its potential alternatives. By evaluation, they predict the outcomes of every conceivable path of action. They evaluate the utility of every potential result. And at selection, the actor chooses the option with the highest net utility.

The above points to the 3 main elements that the RCT is based on—*individuals*, *constraints*, and *collective action*, which it links characteristically to what is referred to as *methodological individualism*. The individual actor must choose because they have preferences and are faced with constraints. However, other theorists have shifted the decision-making power and attention from individuals to political and social institutions, thereby introducing micro and macro levels of analysis to the theoretical understanding of methodological individualism. The ways in which the micro and macro levels of analysis are linked in methodological determinism, and the role of the RCT within it, is demonstrated in figure 1 below, as re-presented by Thomas Saalfeld.⁴² At the macro levels are social, economic, and political situations and the collective explanandum, while at the micro or individual level are the actor and action.

³⁸ Herbert Gintis, *The Bounds of Reason: Game Theory and the Unification of the Behavioral Sciences-revised edition* (Princeton: Princeton University Press, 2014).

³⁹ Anthony Downs, *Inside Bureaucracy* (Boston, MA: Little, Brown, 1967)

⁴⁰ Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups* (Cambridge, MA: Harvard University Press, 1965).

⁴¹ David Lalman, Joe Oppenheimer, and Piotr Swistak, "Formal Rational Choice Theory: A Cumulative Science of Politics," in *Political Science: The State of the Discipline II*, ed. Ada W. Finifter (Washington, DC: American Political Science Association, 1993), 79.

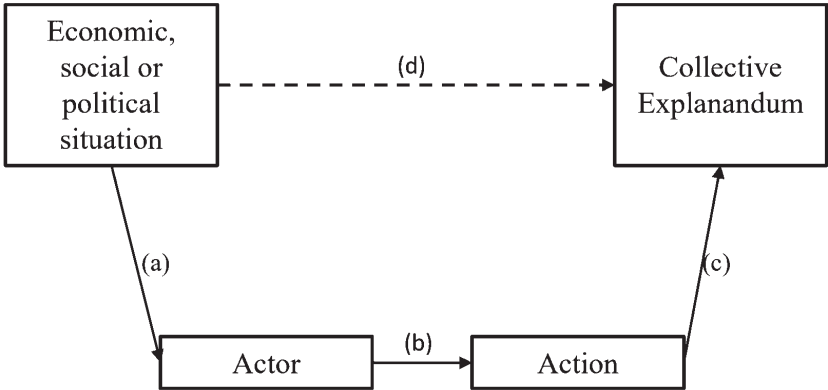
⁴² Saalfeld, "Rational choice Theory in Legislative Studies," 39.

As articulated by Saalfeld, the choices of actors do not exist in a vacuum, they exist within a particular situation on the macro level where situational constraints are rested, which restricts the range of options available to the actor. Within the realm of the ‘collective explanandum,’ just as with the ‘economic and social or political situation,’ are considerations beyond the individual actor and action. They wield influence and situational powers which shape opportunity structures and considerations for action.

While the model depicted in Figure 1 below is deemed to be appropriate to predict economic behaviour in the marketplace, as well as voting behaviour, Thomas Saalfeld ⁴³ believes that it may be insufficient to predict legislative behaviour, as parliamentary politics poses more complications. Legislators do not just respond individually to prompts at the macro level. There are institutional rules, decisions of their parties, and other factors or interests that constrain them, and these constraints can neither be placed on the macro nor micro levels of the political system. Institutional rules here can be interpreted as formalised regulations and norms that govern the operations of the legislative body, within a political system. These institutional rules govern individual behaviour and are sometimes underpinned by collective considerations. Hence, Thomas Saalfeld holds that RCTs of legislative behaviour have to account for these factors on the meso level, as institutions function within the meso arena (demonstrated in Figure 2 below).

The main difference between models 1 and 2 below is the introduction of the meso-level entities which constrains the actor and mediates the choices of the actor. These are helpful perspectives and theorisations about how actions

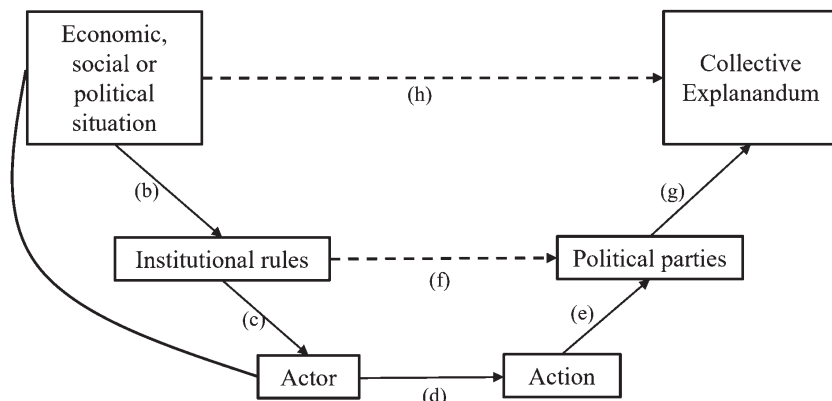
Figure 1. Methodological individualism, linking the macro and micro levels of analysis



Source: Thomas Saalfeld (1995).

⁴³ Saalfeld, “Rational Choice Theory in Legislative Studies,” 32.

Figure 2. Methodological individualism, linking the macro, meso and micro levels



Source: Thomas Saalfeld (1995).

and decisions are enabled or constrained based on institutional, organisational and political dynamics. However, more needs to be done to test the breadth of its applicability to different legislative scenarios and across contextual divides. While not dissuading critics of the RCT, as debated across its *thick* and *thin* applications,⁴⁴ this study threads new thinking pathways to the adjudication of its strengths for the interpretation of actions and legislative behaviour.

#EndSARS Emergencies: Legislative Behaviour and the Rationality of Actions

Emergencies, like natural disasters and human displacements, share certain characteristics with emergencies like violence against women, child abuse, and social injustices. Both kinds of emergencies are marked by life-threatening probabilities, and the breakout of such prompts speedy reactions and responses. The need to regulate the tensions that these emergencies create or to reduce their disruption of life and human livelihood mediates urgent interventions, stakeholder mobilisations, and a dispatch of resources. Violent protest incidences globally often result in emergencies, against which state actors are not vaccinated. Boluwatife Ajibola and Temitayo Odeyemi's⁴⁵ scan of the progression of events between the #EndSARS movement and Nigeria's legislative institution reveals that the priorities and interests of both sides as regards the protest must have occurred in 5 phases—the procession, acknowledgment, dialogue, face-off and emergency, and the resolution/

⁴⁴ Fumagalli, "How Thin Rational Choice Theory Explains Choices," 63.

⁴⁵ Ajibola and Odeyemi, "The Legislature as Target and Mediator of Ensuing Outcomes during Social Emergencies," 117.

response phases. At the face-off and emergency phase, they gave an account of the series of violence that broke out across legislative houses, including individual legislators that were violently attacked. While this delivered a robust reportage of the violence that accompanied the protests and on the legislative institution, it focused less on the actions, behaviour, and decisions of legislators and their collective institution.

Indeed, the study was a methodological and theoretical interaction with the demand side of the #EndSARS protest, interrogating what explains the violent targeting of the legislature by protesters. However, this study switches the discourse to the response side by focusing on legislative actors and actions. It argues that the response patterns and decisions of the legislature during the protests were reflections of predominant legislative behaviour as shared by the legislators. Legislators' approach to engaging the protesters and the subsequent violence were also manifestations of documented perceptions about legislative behaviour in academic literature, asides from offering an interesting empirical case to reimagine the rational choice model in an African legislative context.

Respondents of this study attested to the violent targeting of the legislative infrastructure by angry protesters. According to Interviewee #2, "there was signage, but it was destroyed by EndSARS; they destroyed almost everything with flags by the road and so on".⁴⁶ This is corroborated by another lawmaker, who cried out for help when his constituency was attacked.⁴⁷ The attackers were described as instigated looters who sought to take advantage of the protests to destroy legislative infrastructure. They also carted away some office equipment and items that were to be distributed to the constituents. Interviewee #2 was not alone in this experience, Interviewee #4 also recounted thus:

My constituency office was razed down, we are reconstructing the place now because, at that point in time, they were looking for any lawmaker to attack. People thought it was an opportunity to vent anger for no reason, so they went to the high court of Lagos, that's one of the few places where we have a forensic laboratory; they burnt it down, WACA—that's West Africa Court of Appeal, they burnt it down, the mass transit buses in Lagos were all burnt down, so these are part of the things we go through as lawmakers.⁴⁸

⁴⁶ Lagos House of Assembly Lawmaker, interview by Temitayo Odeyemi, April, 2021.

⁴⁷ Osasisourman, "ENDSARS: Our Constituency Office under Attack, Valuable Belongings Carted Away - Law Maker Media," *Opera News*, <https://ng.opera.news/ng/en/politics/a8fd0283b3876f34927ee49f45b1237c> (accessed March 22, 2023).

⁴⁸ National Assembly Lawmaker representing one of the constituencies in Lagos, interview by Temitayo Odeyemi, April, 2021.

The frustration from the incidences prompted an outburst from Interviewee #3,⁴⁹ who expressed that “the demonstration should have lasted for maybe 4 or 5 days, and then they wait for the government to react, but they kept on doing it, and some people were inconvenienced which is not good. You express your right, but you should not use your right to disturb the rights of others”. In a statement signed by one of the legislators whose constituency office was attacked, he concluded thus, “while we condemn the act, it is seriously necessary at this point in time for every parent and guardian to keep an eye on their children and wards.”⁵⁰ Somehow, amid the frustration and disappointment in the perpetrators of the violence, this legislator saw the need to maintain a position that aligns towards peace and concern for his constituents. Hence, he encouraged parents and guardians to keep watch over their children and wards. This is one of the many mixed reactions and emotions that greeted the breakout of violence across legislative houses in the country. They also represent the manners in which legislators across the country engaged the crisis, and highlight inconsistencies in the response patterns of national and subnational legislatures. Subnational legislatures were seen proactively engaging with the protesters and making statements about the violence being suffered, while the national legislature was arguably more relaxed in their approach. This is partly explained by the fact that being closer to the people by location, subnational entities were direct casualties of the violence, as they could draw on fewer security reinforcements to repel the violence compared to the National Assembly.

In terms of the institutional structure of the parliament and how loyalties of the legislators are perceived by their constituents, respondents attested to the openness of the Lagos parliament in particular and how this is an approach by which they demonstrate their loyalty to the people. Interviewee #7⁵¹ described the Lagos parliament as “the people’s parliament.” Interviewee #9 further stated that “the House of Assembly is a very open place to the public, and people always take advantage of it. Don’t forget during the protests which started here in Lagos, their first point of call was the Lagos State House of Assembly. They knew how responsive we are to their demands”.⁵² This remark was corroborated by Interviewee #6,⁵³ who admits that “the first point of call for any grievances that people want to show has always been the Lagos State House of Assembly, and the Speaker of the house has always done justice to reducing the tensions when they arise. As a matter of fact, they don’t even go to the Governor’s office because it is not likely the Governor will come

⁴⁹ Lagos Assembly Lawmaker, interview by Temitayo Odeyemi, April, 2021.

⁵⁰ Osasisourman, “ENDSARS: Our Constituency Office under Attack, Valuable Belongings Carted Away - Law Maker Media.”

⁵¹ Lagos Assembly Lawmaker, interview by Temitayo Odeyemi, June, 2021.

⁵² Lagos Assembly Lawmaker, interview by Temitayo Odeyemi, June, 2021.

⁵³ Lagos Assembly Lawmaker, interview by Temitayo Odeyemi, April, 2021.

out to address them”. These backed the notion held by Interviewee #1⁵⁴ that “protesters know how much we want to maintain the peace in our state and respective constituencies. It is just unfortunate that they attempt to take the wrong advantage of our goodwill—violence is not the way to go”. On the contrary, however, there was a perceived impression that some lawmakers were more interested in associating themselves with how their colleagues in the parliament were engaging with the crises and the protesters. In the words of Interviewee #8,⁵⁵ “at first, I did not make any move or attempt to speak with the protesters who made several visits to my constituency. I needed to consult with my colleagues first to at least understand how they were moving so that we are responding to the protesters with a united front and message.” For Interviewee #1, “it was important for us to meet as a house to deliberate on some things before I could take decisive action. You know, caution was key at that point.”

Despite the violence that ravaged several legislative constituencies in Lagos, some legislators seem to have escaped. Rather than being attacked, they felt more protected during the crisis by their constituents. They attributed this to the behavioural disposition that they demonstrated towards those constituents before the protests. This is well articulated by Interviewee #5:⁵⁶

“During the #EndSARS protests, instead of them attacking me, they were protecting me because I have never run away from them. I’m living within their domain; I have never shifted my house. My house, even right from [...] to this period, has been the same because I know one day, I will come down, and I will still mix with these people.”

Furthermore, there are defences about how the Lagos Assembly demonstrates its loyalty to the people by being a listening parliament.

“When people come to lay their grievances, we meet them, we address them, and we invite their leaders. During the protests, youths were outside, and the speaker came around 12 am midnight to address them. We were in recess, and Mr. Speaker called for an emergency sitting, and we held that very sitting in the House where we listened to them, and promptly, we attended to their demands by instructing Mr. Governor to take over and liaise with Mr. President seriously, and that’s all we did (Interviewee #6).”

Interviewee #2 explained that the reason why some areas of the Lagos House were not attacked during the crisis was because they made themselves available

⁵⁴ Lagos Assembly Lawmaker, interview by Temitayo Odeyemi, April, 2021.

⁵⁵ Lagos Assembly Lawmaker, interview by Temitayo Odeyemi, June, 2021.

⁵⁶ Lagos Assembly Lawmaker, interview by Temitayo Odeyemi, April, 2021.

and willing to listen. He added that “it is not because our security was all that very fantastic, but people are your security. You should make people your security. When you attend to them, you attend to their problems; when the problem arises that you want to be the victim, they will be the ones to defend you”.⁵⁷ As put by Interviewee #9, “we demonstrated our public engagement capability by providing opportunities to hear them out.”

Meanwhile, findings also revealed that female legislators do not seem to have behaved differently from their male counterparts. Although there is a striking imbalance between the number of male and female legislators across legislatures in Nigeria, it can be argued that the performance and legislative behaviours of the few women are not significant departures from the males. An incident that made the rounds during the protest was a comment made by a female legislator in Lagos. Reportedly, she had said that Nigerian youths were always on drugs. She got under fire and was heavily criticised for this statement. Another lawmaker from the same Lagos Assembly had referred to some of the protesters as ‘children.’⁵⁸ This met already angry protesters with fury and launched rains of verbal attacks on the lawmaker. Interestingly, it was reported that the comments of this legislator were used as political tools by his critics and political opponents to campaign against him in the lead-up to Nigeria’s 2023 elections, where he sought re-election into the house.⁵⁹

In sum, some of the visible actions and decisions of the Nigerian legislature, including at the national level, included the initiation of dialogues with some of the protest leaders and among legislators. Several promises were made with the hope that this would introduce some calm and peace to the troubled areas. For example, the Speaker of Nigeria’s House of Representatives vowed not to sign the Appropriation Bill unless victims of police brutality were compensated. However, it was after some of these promises were made that some new episodes of violence broke out across the country, especially in Lagos. This was an indication of the level of distrust that constituents have in the claims and promises of the ruling class. Moreover, two years after the protests, it was reported that many states failed to compensate the victims.⁶⁰ Notably, the above interview responses do not expressly portray

⁵⁷ Lagos Assembly Lawmaker, interview by Temitayo Odeyemi, April, 2021.

⁵⁸ Olumide Seye and Daniel Eniola, “Legislators’ Comments on #EndSARS Protests Pit Lagos Assembly,” *The Guardian Nigeria News - Nigeria and World News* (blog)(October 31, 2020), <https://guardian.ng/news/legislators-comments-on-endsars-protests-pit-lagos-assembly-against-youths/> (accessed February 14, 2023).

⁵⁹ Paul Mbagwu, “#ENDSARS: I Wasn’t Referring to Everybody as Children—Desmond Elliot,” *Vanguard News* (blog) (March 10, 2023), <https://www.vanguardngr.com/2023/03/endsars-i-wasnt-referring-to-everybody-as-children-desmond-elliott/> (accessed February 12, 2023).

⁶⁰ Deji Lambo, Segun Adewole, Deborah Tolu-Kolawole, Solomon Odeniyi, Abiodun Sanusi, Damilola Aina, Patrick Odey, Ikenna Obianeri, Olufemi Olaniyi, and John Charles, “#EndSARS: States Fail to Compensate Victims, Police Warn Protesters,” *Punch Newspapers* (October 20, 2022), <https://punchng.com/endsars-states-fail-to-compensate-victims-police-warn-protesters/> (accessed March 2, 2023).

factors such as constituency proximity, ideology, or gender as explanations to variations or similarities in individual behaviour. However, they partly point towards institutionalised norms, and meso-level factors which ideally shape their collective approach. In all, these evidences show how legislators are perceived based on their behavioural dispositions, the demonstration, and defence of their preferences, and the implications of their actions. The focus on actions and actors in this section gives a sense of what their behaviour makes them align towards, as well as the partisan dynamics that foreground their motives. However, how do these help us understand or reimagine the RCT and legislative behaviour more broadly?

#EndSARS and the Rethinking of RCT's Methodological Individualism

Historical and extant evidence lends credence to the fact that protests influence legislative behaviour.⁶¹ Disruptive protests have severally influenced the voting behaviour of legislators in favor of protest demands,⁶² and in some cases, in the interest of disadvantaged or minoritised groups. The #EndSARS protests initiated one of the closest interactions, or call it face-offs, between protesters/constituents and legislators in Nigeria's recent history. Against this backdrop does this study acknowledge the empirical resource that this case guarantees for the interrogation of legislative behaviour and the rationality of legislative choices or preferences. Beyond assumptions about the likelihood of legislators to support the preferences of protesters over non-protesters,⁶³ recent protests, especially in Africa, are also avenues through which the manifested preferences of legislators can be assessed in relation to [violent] protesters as opposed to non-protesters. Also, with a fundamental supposition of the RCT being that politics is inextricably involved with the act of choosing—choices that can be based on preferences or personal interests—, what manifestations of legislative preferences do we see in the response of the legislature to SMSs? Are these preferences or choices products of ranked alternatives?

The analysis of interactions between the movement side and the response (legislative) side, drawing on secondary data, interview data, and the theoretical perspectives that describe legislative behaviour and the RCT, introduces some fresh understanding about legislative preferences and behaviour in Nigeria. The findings are also quite illustrative of wider realities across some African climes, especially those that share Nigeria's federal and presidential features.

The first observation relates to how there was less demonstration of accountability and loyalty to constituents at individual legislator levels. Only

⁶¹ Michael Lipsky, "Protest as a Political Resource," *American Political Science Review* 62, no. 4 (1968): 1144-1158. doi: 10.2307/1953909.

⁶² Doug McAdam and Yang Su, "The War at Home: Antiwar Protests and Congressional Voting, 1965 to 1973," *American Sociological Review* 67, no. 5 (2002): 696-721, doi: 10.2307/3088914.

⁶³ Gause, "Revealing Issue Salience via Costly Protest," 259.

a few made attempts to engage with their constituents after the torrents of vandalism across the country. The popular practices were a public condemnation of the violence, publication of statements condemning the acts,⁶⁴ and in some cases, the use of force to repress the demonstrators. The approach of the legislature in engaging with protesters across the country was more collective than individualised. This partly accounts for why the protest and its attendant violence lingered for days. Legislators could have done more to engage with the protesters at constituency and ward levels, independently of what was being organised or discussed at central and subnational legislative houses. These are signs of a disconnect between legislators and their constituents, a discussion point in studies that have advocated for stronger engagement between legislatures and publics in Nigeria and in similar contexts.⁶⁵ Clearly, there was a demonstration of stronger links and engagement among legislators than with their respective constituents. While this does not suggest any form of disloyalty to constituents, it raises questions about the quality of legislature-constituent engagement that has been developed over the years.

Furthermore, studies have theorised about how electoral repercussions have prompted some kinds of legislative behaviour to ambitious legislators and politicians in general. With respect to the #EndSARS protest, it is difficult to establish that legislators sought some form of political advantage in their quest to retain their parliamentary seats or proceed to higher political positions. The protests sparked in October 2020, at which time the country had not gotten halfway through the 4-year tenure of legislators elected during the 2019 elections, and new elections were not due until another 2 years and some months. However, whilst there were no obvious political incentives that legislators sought to take advantage of during the protests, their behavioural manifestations, in words, preferences, and actions, laid the foundation for what was going to be political tools in the hands of opponents in the lead up to the 2023 general elections. Legislative behaviour as manifested created subjects of attack by critics of the legislators concerned, particularly those that sought the votes of their constituents. For example, the lawmaker who was reported to have controversially tagged some of the protesters as ‘children’ during the 2020 protests was said to have lamented on national television during his

⁶⁴ Itam Offor, “#ENDSARS Protest: Legislators Condemn Looting, Vandalism in Calabar,” *Cross River State House of Assembly-Information Department*, <https://www.facebook.com/CRSHA.INFOR/posts/pfbid0JWfcPgBFiRUNdBuPuYdKdkjUSyV45MR8hTuDyEvvvKF5hSusMmtyyyRL3cLTxnTPI> (accessed March 23, 2023).

⁶⁵ Temitayo Isaac Odeyemi and Omomayowa Olawale Abati, “When Disconnected Institutions Serve Connected Publics: Subnational Legislatures and Digital Public Engagement in Nigeria,” *The Journal of Legislative Studies* 27, no. 3 (2021): 357-380, doi: 10.1080/13572334.2020.1818928; Temitayo Isaac Odeyemi, Damilola Temitope Olorunshola, and Boluwatife Solomon Ajibola, “Turning Public Engagement into Standard Practice: Institutionalisation in the Work of the South African Parliament,” *The Journal of Legislative Studies* 29, no. 3 (2023): 406-424, doi: 10.1080/13572334.2023.2195147.

2023 campaign rounds that “the hatred for me is too much.”⁶⁶ The public also severally called out other lawmakers whose character during the protests were controversial and were seen as undeserving of re-election. This fundamentally speaks to the electoral repercussions that could potentially succeed legislative behaviour following interactions of legislators with, and their response to, SMs. It also evidences the demonstration of legislators’ confidence in, or reliance on, party structures and other factors internal to the legislative circles as pedestals to electoral victory than their perceived behaviour in the heat of the protests.

Different factors have been identified that determine the ideological leanings of legislators, one of which is party affiliation.⁶⁷ As such, the actions and preferences of legislators are often assessed through the lens of the ideological orientations that they share. Legislative behaviour being structured by partisan control⁶⁸ is largely perceptible in party systems that are defined by clear ideologies. However, the Nigerian party structures have over the years been criticised as being devoid of clear ideologies.⁶⁹ which has in part been responsible for the scale and rhythms of party-switching that dominates the party system.⁷⁰

During the #EndSARs protests, the actions and preferences of the legislators were less motivated by defined ideologies or as functions of partisan control. The difficulty in establishing linkages between legislative behaviour and party ideology in Nigeria raises further questions about the legitimacy of their actions. Furthermore, evidence gathered by this research suggests that asides from the lack of ideological clarity, legislative behaviour is also not clearly gendered. There is no clear evidence that female legislators demonstrated contrasting behaviour to their male counterparts. The protest situation, in particular, did not create clear avenues to measure differences between both sides. This is partly a result of the lack of gender mainstreaming across the Nigerian legislature.⁷¹

⁶⁶ Efosa Taiwo, “‘The Hatred for Me Is Too Much’, Desmond Elliot Laments,” *Vanguard News* (blog) (March 10, 2023), <https://www.vanguardngr.com/2023/03/the-hatred-for-me-is-too-much-desmond-elliott-laments/> (accessed January 12, 2023).

⁶⁷ Rapoport, “Three Reasons Why State Polarization Is a Big Deal.”

⁶⁸ Latner et al., “Measuring Legislative Behaviour.”

⁶⁹ Temitayo Isaac Odeyemi, Gideon Uchechukwu Igwebueze, Omomayowa Olawale Abati, and Adeola Opeyemi Ogundotun, “Political Hibernation in between Elections? Exploring the Online Communication and Mobilisation Capacities of Nigeria’s Political Parties,” *Journal of Public Affairs* 22, no. S1 (2022), <https://doi.org/10.1002/pa.2804> (accessed March 2, 2023).

⁷⁰ Emmanuel Mogaji, “In the Absence of Values and Ideologies, Party-Switching in Nigeria Is Inevitable,” *SSRN Scholarly Paper* (November 14, 2018), <https://doi.org/10.2139/ssrn.3284495> (accessed February 23, 2023); Leila Demarest, “Elite Clientelism in Nigeria: The Role of Parties in Weakening Legislator-voter Ties,” *Party Politics* 28, no. 5 (2022): 939-953, doi: 10.1177/13540688211030219; Victor Agboga, “How Do Voters Respond to Party Switching in Africa?” *Democratization* 30, no. 7 (2023): 1335-1356, doi: 10.1080/13510347.2023.2232305.

⁷¹ Emeka Eugene Dim and Joseph Yaw Asomah, “Socio-demographic Predictors of Political Participation among Women in Nigeria: Insights from Afrobarometer 2015 Data,” *Journal of International Women’s Studies* 20, no. 2 (2019): 91-105.

Overall, the RCT can reveal more beyond the perspectives it offers to the study of voting and coalitions. Actors often possess extensive information on both the available alternatives and the possible results of their choices, and their eventual choices reflect their perceived self-interests. They also choose options with the highest expected net utility. Nigerian lawmakers were presented with several alternatives even before the protests sparked across the country. The antecedents of police brutality in Nigeria precedes 1999, when Nigeria returned to democratic governance.⁷² Hence, there have been several calls for the disbandment of the Anti-Robbery Squad, having been characterised by violence, suppression of youths, unjust killings, torture, extortion, impunity, among others.⁷³ The perceived atrocious crimes of the force were quite pervasive such that a report on police brutality that was published in 2016 placed the Nigeria Police Force as the worst of 127 ranked countries.⁷⁴

Prior to 2020's deluge of national protests, there were calls on the government to take decisive action on SARS. Thus, the Nigerian legislature had opportunities to wade into the situation and to introduce policies that would check the police. However, over the recent years, they have been discerned as prioritising bills described as controversial, repressive, and misplaced. This includes bills such as the bill that proposed death by hanging for hate speech in 2019,⁷⁵ and the anti-social media bill.⁷⁶ This is aside from the National Assembly reportedly trivialising or rejecting bills that were assumed to be progressive and poised to consolidate the country's democracy. For example, in 2022, the parliament rejected some pro-gender equality bills, which sparked reactions across the country.⁷⁷

For many, the initially peaceful #EndSARS protests would not have metamorphosed into its violent and disruptive form if decisive action had been taken by key actors, including the legislature, and the ruling government

⁷² Osha Sanya, "#EndSARS: A Brief History of Police Brutality in Nigeria," *Africa Portal* (2023), <https://www.africaportal.org/features/endsars-brief-history-police-brutality-nigeria/> (accessed March 24, 2023).

⁷³ Sada Malumfashi, "Nigeria's SARS: A Brief History of the Special Anti-Robbery Squad," *ALJAZEERA* (October 22, 2020), <https://www.aljazeera.com/features/2020/10/22/sars-a-brief-history-of-a-rogue-unit> (accessed March 24, 2023).

⁷⁴ International Police Science Association, "Evaluating and Improving the Performance of Police Work through the World Internal Security and Police Index (WISPI)," <http://www.ipsa-police.org/ProjectInfoDetails/world-internal-security-and-police-index> (accessed March 24, 2023).

⁷⁵ Abdullahi Sabi, "Death by Hanging for Hate Speech—Controversial Bills of the Senate in 2019," *TheCable* (December 31, 2019), <https://www.thecable.ng/death-by-hanging-for-hate-speech-controversial-bills-of-the-senate-in-2019> (accessed December 15, 2022).

⁷⁶ Timileyin Omilana, "Nigerians Raise Alarm over Controversial Social Media Bill," *ALJAZEERA* (December 18, 2019), <https://www.aljazeera.com/news/2019/12/18/nigerians-raise-alarm-over-controversial-social-media-bill> (accessed March 24, 2023).

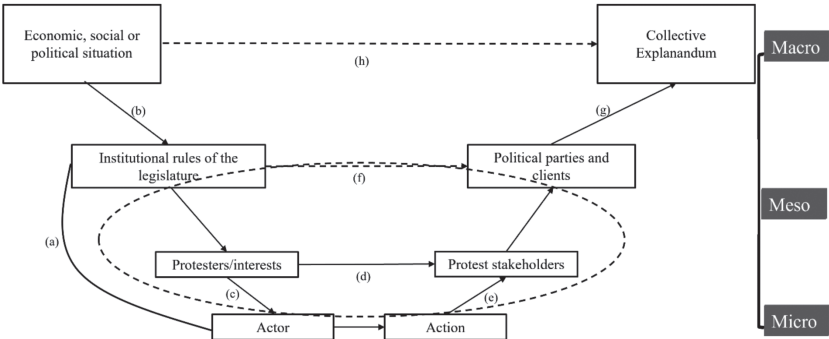
⁷⁷ Ope Adetayo, "Nigerian Women Protest Parliament Rejection of Pro-Equality Bill," *ALJAZEERA* (March 2, 2022), <https://www.aljazeera.com/news/2022/3/2/nigerian-women-protest-parliament-rejection-of-pro-equality-bills> (accessed March 24, 2023).

by extension. The RCT sheds some light into the intricacies that underpin some of these behaviours and perceived (in)actions. It portrays the choices of actors as driven by their beliefs, preferences, and constraints. While the actor's preferences are argued to be the most important in determining the rationality of actions, the constraints are also as important. As portrayed by model 1 above, the choices of actors do not exist in isolation at the macro level where situational constraints are placed. Moreover, due to the limitations of this model in predicting legislative behaviour, Model 2 establishes institutional rules and decisions of parties, among other factors, as the constraints that are neither placed at macro nor micro levels of the political system. Hence, the introduction of the meso level as where institutions and parties function.

However, this study contends that the complex emergencies that legislatures are confronted with during SM crisis complicate the interrelations within the 2nd model, thus making the model deficient in explaining actions and decision making. What then would provide a most plausible explanation?

Evidence gathered for this research leads us to a conclusion that a protest episode introduces a new level to the pre-existing levels, and particularly at the meso level (see Figure 3 above). The introduction of protesters and diverse interest groups, and protest stakeholders between the micro and macro levels of decision-making and action negotiations—as new constraints—complicates the decision-making process and consequently limits alternatives. These actors confront the legislature with new demands, threats, or violent attacks, limiting the extent of consultations and engagements with other spheres that should inform legislative interventions, and sometimes in the disinterest of other state actors in the meso level, or other less prominent legislative houses. The foregoing informs the conclusion that during social emergencies, legislatures are faced with the crisis of decision-making, such that they are constrained from patronising clientele at the meso level. They are compelled to compromise

Figure 3. Updated model, linking the macro, meso and micro levels



Source: Authors, based on Thomas Saalfeld's (1995) methodological individualism, linking the macro, meso and micro levels.

loyalty to individuals or groups that traditionally secure their patronage, and at the same time are isolated from institutional rules and socio-political standards that should inform their action. Consequently, it is important for rational choice theorists to account for possibilities outside of the traditional micro and macro layers. Occurrences characterised by fluid realities, such as protests, introduce new dynamics and stakeholders that compel unusual action and behaviour.

Conclusion

Nigeria's #EndSARS protests in October 2020 did not only unveil the collective resolve of young Nigerians against police brutality. It also was a manifestation of how a united people could challenge the hold of the government on instruments of political power and force. A protest that kicked off in one of Nigeria's 36 states extended to at least 26 states, and to more than 20 major cities, in a few days. Of the many actors that were engaged in the exchanges between the movement side and the state, the legislative institution stood out. The Nigerian legislature was not only central in mediating issues between the protesters and the state, but they were also targets of violent attacks by angry protesters, and by hoodlums who were alleged to have hijacked the movement. They attacked several buildings of state legislatures; looted storages at legislative houses; attacked legislators, and their homes, such that some legislators were left helpless. These series of attacks were disruptive to the symbolism of the legislature and legislators. An academic reaction that these realities prompt is the need to interrogate the reasons why the legislature is a target of violent protests and protesters—which an initial study already responds to.⁷⁸ Furthermore, this study switches from the demand side [the movement] to interrogating dynamics peculiar to the response side [the government], by assessing the roles, actions, and behaviour of legislators. This study probes the factors that influence the roles played by legislators and those that constrain the institutional capacity and preparedness needed to respond to protest demands.

This study contends that legislative actions during protests do not manifest in a vacuum. They exist within the frames of the behavioural disposition that characterise legislators. Drawing on several theories that demonstrate the factors that condition legislative behaviour, this study has assessed the actions and demonstrated preferences of the legislative institution during the protests. The RCT provides a useful lens through which this study has articulated the observed preferences and beliefs of legislators in Nigeria. Subsequently, the innovative approach adopted by this study was to bring to the frontlines issues at the intersection of political behaviour and the RCT. The RCT explains and predicts human actions in terms of the laws and norms that causally relate utility and consequent actions. By leaning more on the explanatory potentials

⁷⁸ Ajibola and Odeyemi, "The Legislature as Target and Mediator of Ensuing Outcomes during Social Emergencies," 117.

of the RCT, insights have been provided into preferences and constraints that underpin the actions of legislatures during violent protests. In what this study introduces as an updated model to the traditional models of rational action, it creates an additional layer within the meso-level, as an indication of the constraints that legislators face both at the individual and institutional levels of decision-making. Activities, pressures, and sometimes existential threats posed by the protest institution creates gridlocks against processes that should inform the scale, timing and trust of legislative responsiveness. This is further exacerbated by the tensions that violence creates during protests, thereby forerunning a crisis of decision making and limiting the ability of the legislature to serve interests within their internal caucuses. Put differently, protests marked by extremism and violent targeting of the legislature are less strong avenues for the expression of legislative behaviour along the lines of existing findings in the body of legislative and SMs research.