

NIGERIAN LEGISLATURE AND ADMINISTRATION OF CONSTITUENCY PROJECTS IN NIGERIA: (2015 – 2020)

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ABSTRACT

Constituency projects are not peculiar to Nigeria alone. Since its inception in Nigeria, there have been various perceptions that constituency projects are conduit pipe for the legislators to siphon money because of its mode of operations over the years. This study seeks to assess the Nigerian legislature and the administration of the constituency projects in Nigeria. The study adopted a survey research approach and data were sourced from primary and secondary sources and analyzed using simple percentage and chi-square. The finding indicates, amongst others, that there is no legal framework establishing constituency projects rather convention and it also shows that it is an avenue where corruption thrives. The study also pointed out that corruption; lack of constitutional/legal framework and lack of proper monitoring and evaluation affect the proper administration of constituency projects in Nigeria. Accordingly, amongst others, the study recommends that there should be a legal framework established by the act of parliament for constituency projects. Also, an agency should be created to oversee constituency projects in Nigeria as well as proper monitoring and evaluation to curb corruption.

Keywords: Corruption, Legislature, Administration, Constituency Project.

INTRODUCTION

The systematic ways of organizing government policies/programmes is a function of suitable administrative procedure. Nigeria, Africa's most populous country, is a democratic nation, running a presidential system of government with a bicameral legislature having the senate as the upper chamber with 109 senators and the House of Representatives chamber with 360 representatives. The government's presidential system in Nigeria has the executive, legislature, and judiciary performing distinct functions in government businesses. Primarily, the executive implements government policies, and the judiciary adjudicates while the legislative make laws.

The legislature has the responsibility to make laws and oversight the other arms for the people's interests. At the local and state government levels, the legislatures are the councillors and the House of Assembly members respectively, while at the federal level, running a bicameral parliament comprising Senators and House of Representatives members known as the National Assembly. As the government's oversight responsibility and law-making institutions, the legislature also performs other instrumental functions known as representation. As the people's representative, the legislature is a platform for expressing the constituents' opinions and aspirations in the policy-making process. (Arter 2011, Rehfeld 2006, Urbinati & Barren, 2008 cited in Awofeso and Irabor 2020). Accordingly, they also perform other extra-legislative functions, among others is constituency services like project nominations. In a democracy, legislators interact with people who elected them to the parliaments in most countries. The mechanism through which they perform their functions is through their unit of elections refers to a constituency (Tusuf, Yusoff and Tapiwazengeni, 2018). Every representative comes from a constituency. Their constituents expect government presence in their constituency, and this becomes part of the demands of the electorates from their representatives to bring social infrastructure to their constituency. To meet their constituent yearnings, they respond with constituency projects to attract the much needed federal presence (Kalu and Chikwe, 2017). With the coming of democracy in Nigeria and as the practice in most democracies worldwide, the Nigerian national assembly approached the executive to approve constituency projects. Their demand was in apparent response to frequent requests of their constituent's dividend of democracy, and the executive saw reasons with and approve constituency funds for them (Udefuna, Jumare, and Adebayo, 2013).

The controversies surrounding constituency projects in Nigeria has raised a lot of questions bordering on the corruption in administering the projects as well as the lack of constitutional/institutional framework governing its operations and as such making the people to see constituency projects in Nigeria as a conventional issue and not a constitutional matter. Also monitoring and evaluation of constituency project remains a typical issue in the discus of constituency projects in Nigeria. Consequently, this study seeks to achieve the following objectives;

- a) to examine the relationship between corruption in Nigeria and nonperformance of constituency projects.
- b) to assess the roles of lack of constitutional/institutional framework on non-delivery of constituency projects in Nigeria, and
- c) to examine how lack of monitoring/evaluation of constituency projects affects

the non-delivery of constituency projects in Nigeria.

Conceptualizing Administration and Constituency Project

Administration

The act of administration is as old as human existence. The act of coming together to achieve a common goal is essential human possession. Building the pyramids– an administrative achievement as well as a remarkable technical accomplishment – managing the affairs of the Roman Empire with the means then available, organizing national state out of medieval feudalism, and creating discipline armies out of an unruly crowd of armored knights were as well as political feats (White, 1955 cited in Okoli and Onah, 2002). To administer involves purposefully establishing organisational aim and working towards attaining the set goals. Ezech and Amah (2016) opined that administration is the management or proper ordering of human beings' collective activities. As most human activities are collaborative and co-operative, the administration is a general process discernible in every group activity, whether private or public, large or small. It can be found everywhere as long as there is human existence. Administration is vital in the family, community, state, nation, international organizations, clubs, religious organizations, associations, etc. The smooth running of any group is broadly the function of the excellent administration of such a group. No wonder every organization or group considers the type of person(s) appointed or elected into a responsible position. It consists of activities of two or more persons who have agreed to cooperate for a common goal.

According to Berkley, G. E., cited in Polinaidu (2004). Administration is:

- (i) People; because without the presence of people, there can be no administration.
- (ii) Action; People have to do something before the administration can enter the picture; and
- (iii) Interaction; administration is people interacting with other people to accomplish tasks.

All these are the essential ingredient for a particular goal to be met. As opined by Dimock (1937) cited in Abba (2008), the administration is concerned with the "what" and "the how" of the government. The "what" is the subject-matter, the technical knowledge of a field that enables the administration to perform his tasks. The "how" is the management technique, the principles according to which co-operative programmes are executed. Each is indispensable; together, they form the synthesis called administration. Accordingly, constituency projects of government cannot be

achieved with the act of administration. From the initiation stage to implementation stage as well as evaluation stage all involves an aspect of administration.

Constituency Projects

According to Dogara (2016) constituency projects in Nigeria refers to developmental project cited in the constituencies of honourable members of the State House of Assembly, members of the House of Representatives or Senators by various Ministries, Departments and Agencies (MDAs) of government as appropriated in the budget of the federation or state. Also, as stated by Orimoguje (2015), a constituency project is any project that is conceived, designed, and executed within a legislative constituency with the collaboration, input, or influence of the legislator(s) representing that particular constituency in the legislature and such project is however funded from the national or state budget. As a government mechanism, it is not peculiar to Nigeria alone; similar tools exist in other developing countries and the developed countries. For example, in the US, it is known as pork barrel or member items and has been institutionalized in India, Kenya, Zambia, Uganda, etc. The operation of constituency projects in Nigeria has become a topical issue because of its operations' lack of institutionalization. Legislators in Nigeria see constituency projects as one way to attract federal and state presence to their respective constituencies. These projects in some cases have made some communities to have federal and state presence in their constituencies in terms of projects.

Administration of Constituency Projects in Nigeria

As a government policy, there would have been the proper procedure in handling the constituency projects. What is obtainable is that legislators will identify the projects to be executed, and sometime with the MDAs then include them in the budget for the respective MDAs to execute. The process of getting the MDAs frequently leads to connivance with contractors in the execution of constituency projects (Udefuna et al. (2013). The importance of constituency projects is aimed at improving rural economy, alleviates poverty, creates employment, and enhances the standard of living of various constituencies and should be given the administrative priority it deserves to achieve the aims and objectives.

The administration has a lot to do with management and orderly way of achieving organisational goals. The idea for constituency projects through the funds allocated to it in the budget has been the practice in many countries and has assumed different nomenclature across politics (Hickey, 2010), International budget Partnerships, 2010). The mode of administration also is different, constituency projects Nigeria has generated lot of debts on its constitutionality. Former governor of Lagos State and

present Minister of Housing, His Excellency Babatunde Fashola (SAN), while delivering goodwill message at a one-day national summit on political representation and constitutional relation and intervention service in 2016, posited that "constituency projects are not necessarily found in our constitution, they have effectively grown by convention over the years. In trying to find a legal framework for constituency projects, we must first look at what are those things that the National Assembly has the power to legislate upon". There is no legal instrument but it has been the practice over the years. Supporting the National Assembly's action, Yakubu Dogara, while responding to Fashola, stated that it is constitutional. He maintained that the idea of constituency projects arose as a result of the demands by Nigerians for equitable and even distribution of infrastructural development projects as well as federal character, citing, sections 14(3), 15(4) and 16(2) of the 1999 constitution.

It should be noted that these sections did not mention constituency projects. The lack of saying the constituency projects in the constitution has generated controversies. And this controversy is an indication of administrative lapses in the handling of constituency projects. There is a clear need for specific legislation for the administration of constituency projects in Nigeria that will provide for the management of constituency projects from the formulation stage to the implementation stage and, finally, the projects' evaluation stage. Some scholars have maintained that several constituencies would not see developmental projects without constituency projects, mostly if the executive considers the representative to be opposing or antagonistic to the government or inter-party or intraparty disagreement. The legislator's assessment by its constituent is the number of projects that legislators can attract to the constituency. With her nature, Nigeria, constituency project was to help in the need to ensure equitably and even distribution of infrastructure/development as well as an adequate representation of every section (tribe and religion). Constituency projects most often serve to showcase legislators as a performer capable of bringing home Federal beacon (Kalu and Chikwe, 2017).

As opined by Baskin (2013), it is confirmed by findings of scholars works that both the electorate and the legislators give much and higher priority to the constituency projects than oversight and rule-making functions in Africa. Even in the developed democracies, like America, the study conducted in America by Balla and Deering (2013) indicates that priorities are given to constituency services than other legislative functions. Legislators that do not take the interest of his constituent are at acting at their peril. Critically looking at the scenario, legislators are voted by the constituent. As such, the constituent becomes the primary concern of every legislator because if he desires to seek reelection, it is the constituent that will decide

through voting. To a typical legislator, party interest and state or district constituency interests remain very paramount, and they will strive to protect their constituent in most cases. In looking and safeguarding the welfare of his or her constituents, a representative may act as either a delegate, carrying out their actual or perceived instructions, or a trustee, exercising his or her best judgment in their behalf when voting on policy question (Wahlke et al. (1962) in Anderson (1997).

Corruption

This is one endemic problem that is affecting Nigeria. Corruption is simply the effort to secure wealth or power through illegal means, private gain at the public expense (Mamadu, 2006). It is a deliberate and organized illegal way of enriching oneself with public funds/power.

Corruption has been identified as one of the benefits of effective administration of constituency projects in Nigeria. The MDAs and the legislators, in connivance with the contractors, are the beneficiaries of constituency projects rather than the constituents (Afolabi 2015). In addition to the projects, most contractors are sometimes recommended by the legislators on the reason that the project and the contractor should be known to them for the effective execution of the contract. Some agencies should have handled that, and their work would have been to oversight. These are the administrative issues that are affecting the smooth running of constituency projects. There are several views and opinions on the role of the legislature on constituency projects; during President Obasanjo's administration, the president dismissed the National Assembly as armed robbers and a cesspool of corruption that is cheating the country through an unnecessary allowance and constituency projects, at the same time failing to respect institutional control (Alli, 2016).

As stated by Bellonwn (2018), most lawmakers lobby heads of ministries to insert flimsy projects in the budget as constituency projects. In most cases, legislators are more interested in implementing policies and employ several techniques to influence the administrators. As noted by Lowi (1965) cited in Anderson (1997), Lowi argues that "the central problem and significant focus of the congress are no longer simply that of prescribing the behaviour citizens but more often that of affecting the behaviour of administrators. As MDAs, if you don't work with the legislators, you will come before them to defend your budget; it could be evident that without some level of compromise, your budget presentation may not see the light of the day, indicating a system of ongoing corruption. As Yusuf et al. (2018) observed, sometimes legislators connive with executives of MDAs to siphon the money allocated for the constituency projects.

For instance, as reported by BudgITtracka (2019), in Ondo State, a huge sum of N24m was given in the 2018 budget to construct a block of three classrooms at Bolorunduro in Akure North, Akure North/South Federal Constituency. Upon completion, mere classrooms were built without any furniture provision. Also, some projects are under – implemented, not according to specification in the bill of quality. As shown by BudgITtracka (2019) is the N16m construction of three classrooms at St. Paul's Primary School, Ijokun, Sagamu, Ogun State, where only one block of 2 classrooms and office was constructed. By the convention of its creations, constituency projects were created to ensure a minimum government presence in every constituency by having some grassroots projects cited in each, during the budgeting process. Awofeso and Irabor (2020), in their study, indicated that the correlation analysis between the number of projects and ongoing projects shows a negative value, which means that the ongoing projects constitute a means for corruption as the project may likely be abandoned. BudgITtracka (2019) revealed that N15m in the 2018 budget allocated for constructing a pavilion at Umuona Nnobi Idemili South L.G.A. Anambra State, only the project signpost was erected at the proposed site. The tracking officers could not confirm the building during their visit, as weeds overgrew the area. Legislators were merely required to identify projects they wish to be sited in their constituencies for inclusion in the budget with a financial ceiling for the budgetary provisions for such projects in each constituency (Udefuna, Jumare & Adebayo, 2013).

Lack of Constitutional/Institutional Framework

Lack of constitutional/institutional framework for the operation of the constituency project also affects its proper implementation. Its process is base on how anybody perceives it. The institutional framework would have provided for the body to regulate its operation, goals, funds, structure, and strategy of achieving the set goals. Like in Kenya, there is an act of parliament in 2003. This act provided them with constitutional backing; the action has management organs that work towards attaining enhanced people's participation in decision making concerning the project to be executed and the processes. By so doing, it promotes accountability good governance. Having an institutional framework that is constitutionally backed will bring the debates of its constitutionality to a stop, thereby changing electorate perception on constituency projects' activities, which some perceived as conduit pipe.

Lack of Monitoring / Evaluation

Monitoring and evaluation are essential for government businesses. Some see opportunity in government as an avenue to make wealth. Also, the perception that government business is no bodies business is not much effort to put into it. To properly administer the constituency project in Nigeria, there is a need to engage in regular assessment of the proper implementation of projects. Several scholars have indicated that most projects are unexecuted. According to Kalu and Chikwe (2017), the failure of constituency projects in Nigeria has been traced to none or lack of monitoring from the executive. The constituency projects are not being earnestly done is a failure of duty in both the executive and the legislature. Some projects, if executed, sub-standard products/materials are used. The contractor would be interested in the gain and, most times, not in the job's quality, so completed. BudgITtracka (2019) reported a case in Sokoto state where N37.4m was allocated for the tarring of a road stretch in Wurno L.G.A. Sokoto State. The road was poorly constructed with substandard materials that did not stand the test of time after a heavy downpour. If there were a monitoring team of qualified civil engineers, such projects would have been stopped. Like Awofeso and Irabor (2020), many flimsy projects were included in the budget with no intention of implementing them. Also, a large number of ongoing projects may not reach completion.

Monitoring of projects should begin from the initiation stage before awarding contracts, handling the project, materials used for the project, completion of the projects, and usage where necessary. It is also discovered that some legislators regard some constituency projects as their projects situated close to their houses and are managed by them or their relatives. Secrecy in the process of budget preparation enactment and implementation of the budget without the knowledge of benefiting communities, keeps the communities in the dark regarding such projects. With the understanding of the project, benefiting communities would involve checking the compliance level and diversion of constituency projects for personal use. It will also help policy implementers to assess themselves in attaining organisational goals of government periodically.

METHODOLOGY

A survey research design was adopted for this study. Nigeria has a total of 469 constituencies, that is 360 federal constituencies and 109 senatorial districts. The Taro Yamane formula was used in determining the sample size of 216 constituencies in Nigeria at 0.05 significance level. The 216 constituencies represent 216 respondents. The stratified random sampling technique was used to select 36 respondents each, from the 6 geopolitical zone of the country, taking into account all the states in the country. The respondents were opinion leaders (youth leaders, women leaders, chairman of village councils, religious leaders, and academia). A total

of 216 questionnaire were distributed to the respondents out of which 200 were retrieved. This represents a return rate of 93%. Simple percentage and frequency distribution technique were used to analyze the data. The chi-square statistical technique was adopted to test acceptability or otherwise of the research hypotheses formulated for the study.

Hypotheses

HOI: There is no significant relationship between corruption in Nigeria and non-performance of constituency projects.

HOII: There is no significant relationship between lack of constitutional/institutional framework and non-delivery of constituency projects in Nigeria.

HOIII: There is no significant relationship between lack of monitoring/evaluation and non-delivery of constituency projects in Nigeria.

RESULTS AND DISCUSSION OF FINDINGS

Table 1: Responses on the relationship between corruption and non-delivery on constituency projects from Hypothesis 1.

Question	Responses	Number	Percentage (%)
Is there any relationship between corruption and non-delivery of constituency projects?	Yes	188	94
	No	12	6
	Undecided	-	-
Total		200	100

Table 2: Responses on the relationship between lack of constitutional/institutional framework and non-delivery on constituency projects

Question	Responses	Number	Percentage (%)
Is there any relationship between lack of constitutional/institutional framework and non-delivery on constituency projects?	Yes	138	69
	No	36	18
	Undecided	26	13
Total		200	100

Table 3: Responses on the relationship between non-monitoring and evaluation of projects and non-delivery on constituency projects.

Question	Responses	Number	Percentage (%)
Is there any relationship between lack of monitoring/evaluation of constituency projects and their poor or non-delivery?	Yes	164	82
	No	36	18
	Undecided	-	-
Total		200	100

Testing of hypotheses

The following tables, 4-6 were used to calculate the chi-square used in testing the hypotheses 1-3.

Table 4: Test of HO1: There is no significant relationship between corruption in Nigeria and non-performance of legislators on constituency projects.

O	E	O-E	(O-E) ²	$(O-E)^2 / E$
188	100	88	7744	77.44
12	100	-88	7744	77.44
200	200			$\chi^2 = 154.88$

Degree of freedom (df) = (3-1) - (1) = 1

Table value = 3.84

Decision: Reject null hypothesis and accept the alternative hypothesis since the calculated value of 154.88 is greater than the table value (3.84). The findings clearly state that there is a significant relationship between corruption in Nigeria by the leaders (legislature inclusive) and this accounts for non-performance of constituency projects in their domain. This finding confirmed the study carried out by Afolabi (2015), which concluded that the MDAs and the legislators in connivance with the contractors, are the beneficiaries of constituency project than the constituents. In executing the projects, attention is paid to how much they will make from the project, most times not minding the quality of the work. Most lawmakers lobby Heads of Ministries to insert flimsy projects in the budget as constituency project (Bellonwn 2018) without executing those contracts. The controversies of

constituency project made the former president to refer to the constituency projects as a cesspool of corruption. For instance as reported by Budget Tracker (2019), ₦15m in the 2018 budget allocated for construction of a pavilion at Umuona Nnobi, Idemili South L.G.A. Anambra State, only the project signpost was erected at the proposed site. The question is, what happens to the funds. Also, at St. Paul's Primary School, Ijokun, Sagamu, Ogun State, ₦16m was allocated for construction of three classrooms but only 2 classrooms and office was constructed. All these are corrupt tendencies as reveal in this study, which also confirmed the studies of Yusuf et al. (2018), Alli (2016) and Awofeso and Irabor (2020).

Table 5: Test of H0II: There is no significant relationship between lack of constitutional framework and non-delivery of constituency projects in Nigeria.

O	E	O-E	(O-E) ²	$(O - E)^2 / E$
138	67	71	5,041	75.24
36	67	-31	961	14.34
26	67	-41	1681	25.09
				$\chi^2 = 114.67$

Degree of freedom (df) = (3-1) - (1) = 1

Table value = 3.84

Decision: Reject null hypothesis and accept the alternate hypothesis since the calculated value of 114.67 is greater than the table value of 3.84. This indicates that lack of constitutional/ institutional framework has a significant relationship with non-delivery of constituency projects in Nigeria. The roles of constitutional and institutional framework remain vital to the operation of constituency is very essential. As noted by His Excellency Fashola (SAN) that constituency projects are not necessarily found in our constitution, they are effectively grown by convention. This is a very serious setback in the operation of constituency projects in Nigeria.

Table 6: Test of HOIII: There is no significant relationship between lack of monitoring and evaluation of constituency projects and their poor or non-delivery.

O	E	O-E	(O-E) ²	$(O - E)^2 / E$
164	100	64	4096	40.96
36	100	-36	1296	12.96
				X² = 53.92

Degree of freedom (df) = (3-1) - (1) = 1

Table value = 3.84

Decision: Reject null hypothesis and accept the alternative hypothesis since the calculated value of 114.67 is greater than the table value of 3.84. This indicates that lack of monitoring and evaluation of constituency projects have a significant relationship with poor or non-delivery of constituency projects in Nigeria. Lack of monitoring and evaluation has affected the implementation of constituency projects in Nigeria. Most of the project are proposed by the legislators and inserted in the budget by the legislator under a given MDAs and most time the contracts are awarded by the MDAs without visiting the site of the projects, when visited, it is once or twice in the life span of such projects. Monitoring of projects should begin from initiation stage before its award and should continue, as lack of this leads to poor service delivery or non-implementation. This study confirmed the findings of Kalu and Chikwe (2017), that failure of constituency projects in Nigeria has been traced to none or lack of monitoring from the executive. The result here is similar to Awofeso and Habor 2020, BudgITracka 2019.

CONCLUSIONS

The controversies over the legality and administration of constituency projects in Nigeria have been a source of debate, on interference with the function of the executive and an avenue of corruption because of its current mode of operations. This paper examined the Nigerian legislature and administration of constituency projects in Nigeria (2015-2020). The study reveals that the idea for constituency projects in Nigeria is not a bad one as many communities currently boast of government presence courtesy of constituency projects. During the electioneering campaigns, most legislators promise constituent some projects, and such projects may not achieve if not for the constituency project. However, some legislators' mode of operations seems to have been tempered because they turn around to influence

MDAs to award those contracts to them through a front. As a result, some projects are either abandoned or implemented below standard.

RECOMMENDATIONS

From the findings of this study, the following recommendations are proffered.

1. Constituency projects should be legalized through an act of parliament.
2. Creation of an agency solely responsible for constituency projects with the proper administrative and technical mechanism to oversee all constituency projects from costing, inclusion in the budget, implementation, monitoring, and evaluation.
3. That the legislators should only submit their proposed projects only to the agency, and the agency will be responsible for it.
4. Yearly assessment, evaluation, and reports should be given to the National Assembly on all the constituency projects.
5. Benefiting communities of the proposed projects should be involved in all the constituency projects. They should be made to send a progress report to the agency handling the project and copy their representative.

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