

**EFFECTIVENESS OF LEGISLATIVE OVERSIGHT IN FACILITATING
INFRASTRUCTURAL DEVELOPMENT IN NIGERIA IN THE 9TH NATIONAL
ASSEMBLY (2019-2023): CASE STUDY OF FCT, ABUJA, NIGERIA**

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**A DISSERTATION SUBMITTED TO THE NATIONAL INSTITUTE FOR
LEGISLATIVE AND DEMOCRATIC STUDIES/ UNIVERSITY OF BENIN
(NILDS/UNIBEN) POSTGRADUATE PROGRAMME IN PARTIAL
FULFILMENT OF THE REQUIREMENTS FOR THE AWARD OF A MASTERS
DEGREE IN LEGISLATIVE STUDIES (MLS)**

AUGUST, 2024

DECLARATION

I hereby declare that this dissertation was written by me and is a product of my research effort. It has not been presented in any previous application for an award of Masters in Legislative Studies or Certificate elsewhere. All quotations are indicated and have been duly distinguished and appropriately acknowledged by the means of references.

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Date

CERTIFICATION

The dissertation titled; **EFFECTIVENESS OF LEGISLATIVE OVERSIGHT IN FACILITATING INFRASTRUCTURAL DEVELOPMENT IN NIGERIA, IN THE 9TH NATIONAL ASSEMBLY (2019-2023): CASE STUDY OF FCT, ABUJA, NIGERIA**, meets the regulations governing the award of Masters in Legislative Studies (MLS), of the School of Post Graduate Studies, National Institute for Legislative and Democratic Studies/University of Benin, and is approved for its contribution to knowledge.

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DEDICATION

This work is dedicated to God Almighty, the custodian of wisdom and the giver of life and to my lovely husband Engr. Sinime-Paulker Emmanuel. To God be the glory.

ACKNOWLEDGEMENTS

My profound gratitude goes to God Almighty who has been the source of my strength throughout the period of my academic pursuit and also my supervisor Drs. Augustine Osigwe, Oluwasola Omoju and Dr. Ndanusa Manzuma who have been of great support to me throughout this research work. I also want appreciate the programme Coordinator/ Director, Department of Studies, Dr. Asimiyu G. Abiola who despite his tight schedule, created time to listen, guide, correct and direct me throughout the period of my academic sojourn in NILDS. I want to sincerely appreciate Dr. Ofem Arikpo a brother from another mother, for his kind support to me; thank you brother. My gratitude goes to my Madam in the Office Mrs. Glory Tende for her understanding while trying to meet up with my duty during class period.

I am immensely grateful to my beloved husband, Engr. Sinime -Paulker Emmanuel, he is the world to me; thanks for standing by me emotionally and financially, making sure there was no lack during the time of my study and research. To my children, I say thank you for understanding most times for the late nights; and to my beloved parents and siblings, thank you all for your prayers, words of encouragement towards my academic pursuit.

I will not forget my beloved friend Mrs. Ope Gloria Ubong for her encouragement during the purchase of the NILDS form, I say thank you. I must say a big thank you to the entire staff of NILDS especially all the lecturers who taught me during the course.

Finally, I will not fail to acknowledge the contribution and support from wonderful friends. I met in the course of this study. May God bless and keep you all in Jesus' name, amen.

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ABSTRACT

The level of infrastructural development in Nigeria has not improved significantly since the return of democracy in 1999. Poor infrastructure development has perpetuated despite the oversight roles of the Nigeria's National Assembly. The importance of the oversight role of the legislature in entrenching good governance is not in dispute, however, the productivity and impact of such essential role on the people remains questionable. It is against this milieu that this study examined the oversight functions of the legislature in promoting infrastructural development with a view to identifying the challenges of overseeing infrastructural development in Nigeria, using the 9th National assembly (2019-2023) as a case study. The justification for this study is that its empirical findings will provide an excellent background to resolving the non-effectiveness of legislative oversight functions and possible challenges hindering oversight functions on infrastructure development in Nigeria.

The study adopted a qualitative research design analytical method which offers the benefit of allowing the researcher to have a broad opinion and feeling of legislative oversight in the National Assembly. This approach is considered suitable because of its capacity to deliver adequate, timely, and firsthand information and to permit informed decision on legislative oversight and infrastructural development in Nigeria. Purposive sampling method was used to select the respondents for the study. A total number of 40 respondents were sampled from National Assembly (20), Ministries (13) and Civil Society organizations (7). Key informant interviews were used to obtain data from the respondents while thematic and content analysis were used to analyse the data. The purposive sampling method was adopted because it allows for the selection of participants who are most relevant to the research question.

Alternatively expressed, the method ensures that the data collected is rich and directly pertinent to the study's objectives, leading to more meaningful and focused findings.

For the first objective, the result revealed that although the National Assembly have improved in their legislative oversight activities, it has not been overly effective in promoting core infrastructural development. For objective two, the result showed that corruption, bureaucratic process, security challenges, inadequate resources, poor working relationship between the executive and legislature and lack of patriotism were key challenges affecting legislative oversight function of infrastructural development.

In view of the findings, it was recommended that adequate resources be provided for oversight activities to ensure optimal effectiveness and that the poor working relationship observed between the executive and the legislature be improved to avoid unnecessary bureaucratic bottlenecks in their relationship.

Key Words: Legislative Oversight, Infrastructural Development, National Assembly, Nigeria

Word Count: 408

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

Infrastructure development is the set of facilities and systems that serve a country, city, or other area, and encompasses the services and facilities necessary for its economy, households and firms to function. Infrastructure is composed of public and private physical structures such as good roads, railways, aviation, bridges, tunnels, water supply, power/electrical grids, and telecommunications etc. (*Ochieng, 2011; Omotoso, & Oladeji, 2019*). It is the physical components of interrelated systems providing commodities and services essential to enable, sustain, or enhance societal living conditions and maintain the surrounding environment.

Infrastructure development is a key driver for progress across the world and a critical enabler for productivity and sustainable economic growth. It is crucial for creating jobs, reducing poverty, and improving the standard of living for citizens. It also helps connect people with opportunities, promotes economic growth, and improves livelihoods. Investing in sustainable infrastructure provides a pathway for countries to integrate their climate and development goals by investing in projects that reduce carbon footprints, including renewable energy, green transport, and digital ecosystems. According to Resilience Shift (2018), infrastructure is crucial for socio-economic development. It is essential to prioritize infrastructure development to improve the standard of living for citizens. The World Bank estimates that in Sub-Saharan Africa closing the infrastructure quantity and quality gap relative to the world's best performers could raise GDP growth per head by 2.6% per year (World Bank, 2017). In the US, it is estimated that about 63m full-time jobs in industries such as tourism, retail, agriculture and manufacturing depend on the quality, safety and reliability of transport infrastructure. McKinsey Global Institute (2013) analysis suggests

that increasing infrastructure investment by 1% of GDP could create major new job opportunities across the world.

Poor infrastructural development in Nigeria has affected the education system as well as her global economy negatively. According to the Africa Infrastructure Country Diagnostic (AICD), Nigeria's infrastructure is in a poor state Foster & Pushak, (2011). The report analyzed extensive data on infrastructure in more than 40 Sub-Saharan countries, including Nigeria. The report found that Nigeria's infrastructure is inadequate and requires significant investment to meet the needs of its growing population. Further, the World Economic Forum's (2019) Global Competitiveness Index ranked Nigeria 116 out of 141 countries, largely due to the poor state of its infrastructure (Klaus Schwab 2019). The situation is dire in most cities but worse in rural areas where more than half of Nigeria's population resides. According to the National Bureau of Statistics (2023), noted that some states in Nigeria have the worst combination of infrastructure, economy, competence level, security, and administration. The report highlights that these states are lacking behind in terms of development and require significant investment to improve their infrastructure. Some of the causes of poor infrastructural development in Nigeria according to Ihedioha (2012) include corruption, mismanagement, lack of political will, inadequate funding, and weak regulatory framework.

Corruption and mismanagement of funds are serious problems that affect infrastructural development in many ways. Corruption and mismanagement of public funds by government officials and contractors: This reduces the amount of money available for actual infrastructure projects and leads to substandard or incomplete works. Poor implementation and maintenance culture of existing infrastructure: This results in frequent breakdowns, damages, and deterioration of roads, bridges, power plants, water systems, etc. that require constant repairs or replacements. Policy inconsistency and lack of continuity by successive

governments: This affects the planning, execution, and completion of long-term infrastructure projects that span across different administrations and political parties. Inadequate funding and weak fiscal regime by the federal government: This limits the amount of money that can be allocated to states and local governments for infrastructure development and also hampers the ability of the government to borrow or attract private sector investment. Lack of political will and commitment by the government and other stakeholders. This reflects the low priority given to infrastructure development in the national budget and agenda, as well as the lack of accountability and transparency in the allocation and utilization of funds. Therefore, combating corruption and improving the management of funds are crucial for enhancing the governance and performance of infrastructure, which can contribute to the sustainable development of all countries.

The legislature therefore plays a key role to share in the responsibility to ensure that the sound policies and laws are passed. Ihedioha (2012) defined legislature as an assemblage of the representatives of the people elected under a legal framework to make laws for the good health of the society. It is also defined as the institutional body charged with the responsibility of making laws for the country and at the same time serves as an avenue through which the collective will of the people or part of it is articulated, expressed and implemented (Okoosi-Simbine, 2010). Sha (2014) maintained that it is an indispensable institution which all democratic countries must build and maintain.

The legislature performs oversight functions on the executive to prevent democratic tyrannical tendencies. It also guards the guardian of the treasury by appropriating money for the running of government businesses through the performance of its budgeting function.

Legislative oversight is a process by which the legislative branch of a government supervises the activities of the executive branch and its agencies, ensuring that they remain accountable and responsive to the public. The oversight function of the legislature is an

essential component of good governance, promoting transparency, accountability, and participation. The legislature can provide oversight over government agencies responsible for infrastructure projects. Ndoma-Egba (2012) conceives legislative oversight as the power to review, monitor and supervise agencies, programmes, activities and policy implementation of the executive arm of government by the legislature. Stair-Hall (2011) in his opinion upheld that legislative oversight in Nigeria can only review and evaluate selected activities of the executive branch of government. Adding that the legislative branch will conduct oversight activities because it has not only the power to enact new programs for the state, but also has a duty to ensure that existing programs are implemented and administered efficiently, effectively, and in a manner consistent with legislative intent. Izah (2013) rightly notes that through its core oversight function, parliaments hold the government to account on behalf of the people unlike what happens in order countries”, especially in areas of infrastructures for economic development.

Thus, based on the foregoing, this study is aimed at assessing the role of legislative oversight in infrastructural development in Nigeria.

1.2 Statement of the Problem

The legislature is an important arm of government in a democracy given its lawmaking, oversight and representation roles. However, in the contemporary civilized world, there appear to be a consensus that democracy offers the best platform for good governance. This is due to the checks and balances inherent in the systems which comprise the executive, the legislative and the judiciary. While acknowledging that the beauty of the system lies in these checks and balances, it also has to be emphasized that such checks and balances is located the various forms of articles that which are capable of making it the worst system. Instance abound in emerging democracies where the legislative arm uses its instruments as threats to the executive thereby creating unnecessary bottlenecks and beau acracies which slow down

or even grinds the system to a halt. However, it is inconceivable to have democracy without the people's assembly which in Nigeria is called National Assembly. It is a fact that since 1999, the level of infrastructural development in Nigeria has not improved significantly. This situation of poor infrastructure has perpetuated despite the oversight roles of the legislature in terms of the activities and budget of the relevant government agencies. The significance of its oversight in entrenching good governance in terms of infrastructural development is inevitable, nevertheless its legislative productivity and impact on the people are questionable. The concerns about the poor state of infrastructure have brought the legislature to the center of the discourse. While focusing on the lawmaking function of the National Assembly, especially in terms of laws to facilitate infrastructure development and allocate funds for key infrastructure projects, the oversight functions is critical to ensuring that the allocated funds are judiciously utilized. It is against this backdrop that this study assesses the role of legislative oversight in infrastructural development using a case study of the 9th Assembly.

1.3. Research Questions

The research therefore seeks to ask the following questions.

- i To what extent does legislative oversight effective in promoting infrastructural development in Nigeria?
- ii. What are the challenges impeding the performance of legislative oversight function in relation to infrastructural development?

1.4. Objective of the Study:

The main objective of the study is to investigate the role of legislative oversight in infrastructural development in Nigeria. Specifically, the study aims

- i. To ascertain the extent to which legislative oversight function is effective in enhancing infrastructural development in Nigeria.

- ii. To analyze the challenges affecting legislative oversight as it relates to infrastructural development.

1.5. Significance of the Study

The significance and relevance of this research stems out of the purposes the work will serve and the people that stand to benefit from its outcome. The study will provide a template that will assist the members of the National Assembly to attach more importance to their primary function as it relates to the need of the people. It will also be of policy relevance and make it possible to identify policy options on the workings and financing of the legislature. This will make it possible to take the most effective and efficient policy choice that will drive Nigerian democracy toward becoming a developed democracy. The findings will show the extent at which the legislature is fairing in the discharge of its statutory lawmaking functions towards ensuring good governance, and that whether the productivity outcome of the legislature is impacting positively on the taxpayers whose monies are used to finance the legislature. In view of these, this research work will contribute to the emerging field of legislative studies (especially in Africa) and by extension to the steadily increasing literature on the expansive field of political science in general.

Second, it will shed more light on the activities and performance level of the National Assembly as an institution. This will make Nigerians to know more about the legislature and consequently guide their comments on the legislature especially as it relates to lawmaking and the huge budgetary fund expended on the institution. In addition, it will raise the consciousness of Nigerians on the performance of the legislature thereby putting them in a better-informed position to engage their legislators on their lawmaking effectiveness level.

1.6 Scope of the Study

The scope of the study is to assess the role of the National Assembly in overseeing infrastructural development in Nigeria with specific reference to the 9th Assembly (2019-2023) in terms of the spatial scope, while the analysis is expected to make inference to Nigeria as a whole, the data collection process is limited to the Federal Capital Territory, where all the respondents are domiciled.

1.7 Conceptual Clarifications

Legislature: the word “legislative” and “parliament” are often used interchangeably. The distinction between them, however, can be used to structure the analysis of legislative context. Legislatures legislate; they pass laws. The notion of a “legislature” is thus located firmly in the classical view of a separation of powers between legislature, executive and judiciary. A “parliament”, on the other hand, does legislate but in contemporary politics is also something much more than a legislature. A legislature is a deliberate assembly with the authority to make laws for a political entity such as a country or city. Legislatures form important parts of most governments.

National Assembly: The National assembly is the two legislative houses at the federal level with members drawn from all States of the federation. The members of the house of Representatives are drawn from all federal constituencies based on the principle of population, while the members of the senate are drawn from all States based on the principle of equity of States’.

Oversight: Oversight simply means the act or job of directing work that is being done or regulatory supervision of state expenditure towards transparency and accountability of public resources. Parliamentary oversight for government accountability refers to legislative supervision of policies and programs enacted by government. It equally means the

supervision of what the executive branch of government has done as well as policies and legislative proposal.

Infrastructure: infrastructure is generally defined as the physical framework of facilities through which goods and services are provided to the general public. Its linkages to the economy are multiple and complex, because it affects production and consumption directly, creates positive and negative spillover effects and involves large inflow of expenditure. World development report (1994) divides infrastructure stock into economics or physical infrastructure and social infrastructure. The former includes services such as electricity, transport, road, water system, communications, irrigation etc while the latter includes education and health facilities other forms of infrastructure maybe identified as institutional infrastructure as banking and civil administration.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

This chapter focuses the review of related literature. It presents the conceptual framework of the study, a review of the state of infrastructural development in Nigeria vis-à-vis legislative oversight. It further presented a sub-section on challenges facing infrastructural development in Nigeria before ending with a summary of reviewed literature.

2.1 Conceptual Framework

2.1.1 Oversight Functions and the Legislature

The presence of legislative institution in any modern polity suggests the indirect participation of the electorates in the making of decisions on issues that affect their daily lives. Not only is the presence of a legislature salient to the acceptability of democratic regime, but also the extent to which the legislature demonstrates capability to freely express itself and asserts its power determine how democratic the government is.

The legislature performs in a democracy and the extent to which the roles are performed vary with the system of government in place, as well as they differ from one country to another. Essentially, the legislative institution provides for the citizenry the platform for participatory political process. Oversight function is also a very important role of the modern legislature. Oversight function particularly appears to preoccupy modern legislatures. The legislature provides the institutional mechanism for ensuring accountability and good governance. Heywood (2007) explained that the oversight function can also be referred to as scrutiny. According to Cosmeus (2016), the primary role of the legislature in public policy process is that they are responsible for holding government accountable in their decisions and they scrutinized the government in their action. Shafritz, Russell and Borick (2016), explained that oversight functions take many forms and the most

common is the annual congressional hearing of agency budget request where agencies have to defend or justify their activities in satisfaction of the congress.

The oversight functions of the legislature or its investigative power has attracted some degree of criticisms against its apparent abuse of this parliamentary mechanism since the inception of 1999 democratic dispensation. The National Assembly's perception of legislative oversight function as a short-cut to richness is generally worrisome because it negates the principle of good governance. Any legislative investigation means a sure way of enriching the legislators involved in the exercise, and it earns them political relevance in the system as they seem to assume quasi-judicial demigods to those public officers being investigated. As soon as they secure the chairmanship of these committees, the next item on their political agenda is oversight functions, which results in the preliminary investigation trips to parastatals and government departments under their supervision, and subsequent public sittings (a parliamentary simulation exercise for public entertainment). Most often, the orchestrated committees abandon the substance at issue to chase the shadow with a view to humiliating and intimidating their prey to bow to pressure and accept to negotiate for unholy settlement (Akomoledé & Bosede, 2012).

The role of oversight of executive administration thus specifically entails: scrutinizing and authorizing revenues and expenditures of the government and ensuring that the national budget is properly implemented. The constitutional power to participate in budgetary appropriation gives the legislature needed political influence to shape governance, and possibly carry out reforms that are sustainable.

Posner and Park (2007) affirmed 'Legislative oversight in some countries to have gained a role in approving macro fiscal frameworks. The Nigerian legislature belongs to the class of legislative assemblies vested with preponderance of power over fiscal matters, perhaps.

The modern legislature equally performs representational function. Principally, the people's representatives for the singular fact that they are elected by the people, especially under a democratic regime, hold the mandate of their constituencies within the polity (Davies, 2004). Sodaro put it thus: 'the essence of legislative oversight duties lies in the delegation of governmental power and responsibility to a small number of people by the citizenry

The oversight function of the legislature in Nigeria finds legislative importance in Section 88, Sub-sections 1(a)- (b) and 2(a)-(b) of the 1999 Constitution of the Federal Republic of Nigeria which provides that "each House of the National Assembly shall have power by resolution published in its journal or in the Official Gazette of the Government of the Federation to direct or cause to be directed an investigation into (a) any matter or thing with respect to which it has power to make laws; and (b) the conduct of affairs of any person, authority, ministry or government department charged, or intended to be charged, with the duty of or responsibility for (i) executing or administering laws enacted by the National Assembly, and (ii) disbursing or administering moneys appropriated or to be appropriated by the National Assembly". Sub-section 2(a)-(b) stipulates that "the powers conferred on the National Assembly under the provisions of the section are exercisable only for the purpose of enabling it to (a) make laws with respect to any matter within its legislative competence and correct any defects in existing laws; and (b) expose corruption, inefficiency or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it". Besides, Section 89 of the 1999 Constitution empowers the legislature to procure evidence, summon persons to give evidence and require such evidence to be given on oath through examination of witnesses. The National Assembly has the power to summon persons to procure additional document or oral evidence and (where necessary) issue a warrant to compel attendance by any person so required, on the pain of punishment if they fail to attend. The legislature has the

constitutional responsibility to supervise and regulate the activities of the executive arm of government of the federation to eschew waste and ensure fiscal discipline, observance of the rule of law and strict compliance in implementing laws as passed by the legislature, and execution of development programmes and policies. If the National Assembly loses faith in an agency, the Congress can respond in a number of ways to put things in their proper perspectives. For example, Congress can pass a law to overrule agency decisions, and/or to narrow the agency's jurisdiction. It can use its appropriations power to restrict the agency's funding. It can also narrow the agency's regulatory authority.

Ezeani (2010) noted that in spite of the importance of legislative oversight in contemporary democratic governance, it has been controversial in all ramifications in the political scene, and has remained the major source of executive and legislative conflict in Nigeria. A former Attorney-General of the Federation and Minister of Justice, Honourable Justice Oluwadare Aguda (2000) had once argued that oversight functions as was carried out by the legislature was often unconstitutional and violates the principle of separation of powers which is basic to democratic government. He observed that "the legislature in Nigeria is systematically usurping the functions of both the executive and the judiciary", warning that "this could hamper political stability and socio-economic development".

It is argued that this scenario gave credence to former President Olusegun Obasanjo's stance on different occasions on oversight functions, whereby it is alleged that he directed some of his Ministers to ignore National Assembly summons because he considered such political aberrations as undue interference, illegal acts and ungodly avenues for corruption and extortions of resources from the Ministers. Notwithstanding, the legislature with its robust legal instruments, is the symbolic arm of government that determines the effectiveness or otherwise of democratic governance. The power of legislative oversight is not without limitations as was rightly captured by Chief Justice Warren as he succinctly observed that:

The power of congress to conduct investigation is inherent in the legislative process. The power is broad; it encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes. It includes surveys of defect in our social, economic or political system for the purpose of enabling congress to remedy them. It comprehends probes into department of the Federal Government to expose corruption, inefficiency and waste. But broad as this power of inquiry, it is not unlimited. There is no general authority to expose the private affairs of individuals without justification in terms of the functions of the congress nor is the congress a law enforcement or trial agency. There are functions of the executive and judicial departments of government. No enquiry is an end in itself; it must be related to, and in furtherance of the legislative task of the congress. Investigation conducted solely for the personal aggrandizement of the investigators or to “punish” those investigated is indefensible (Warren, 2012)

It is expressly explicit from the above jurist’s assertion that the primary objective of legislative power is, generally speaking, to lie down, be they decision rules or conduct rules and to carry out oversight and investigative function. It must be recognized that the legislative’s power to investigate is not absolute as it has some legal impediments. This was made known by the court in Tony Momoh Vs. Senate of the National Assembly (1982) NCLR 105. In that case, the Court of Appeal clearly held that section 82 of the 1979 Constitution (akin to section 88 of the 1999 Constitution) is not designed to enable the legislature usurp the general investigating functions of the executive nor the adjudicative functions of the judiciary. Any invitations by the legislature to any person outside the purpose defined in section 82(2) that is now 88(2) of the 1999 Constitution is invalid. The prosecution of the persons guilty of corrupt practices or gross inadequacies or misconduct in the discharge of the public office is left to the executive. This only reinstates the doctrine of separation of power between the various arms of government. Invariably, the oversight

functions of the legislature end up with identifying corruption, misconduct of public officers, resource waste or inefficiency in service, review of government actions and activities for good governance, etc. and findings thereof are referred to the appropriate arm of government for further necessary actions in order to address the issues raised therein in appropriate and acceptable procedures.

2.1.2 Oversight Function and Infrastructural Development

Although Oversight function was seen as a way of directing work that is being done or regulatory supervision of state expenditure towards transparency and accountability of public resources more modern approaches adopt a more comprehensive and holistic perspective in which the National Assembly is a linear action to infrastructural development. It is a key driver for progress across the world and a critical enabler for productivity and sustainable economic growth. In this regard, it accommodates the complexities involved in the dynamic nature of the Oversight function process. Hence, provision of infrastructure will reduce poverty, and improving the standard of living for citizens. Therefore, National Assembly do not just carryout oversight function on her constituency but transact with the executive for implementation for and meeting up with other challenges for economic development.

It is belief that when committee members of National Assembly perform their oversight function very well, the oversight role of executive and civil society organization experts, it will enhance good economic system that comes as a result of check and balances, and good government. Thus, specifically entails: scrutinizing and authorizing revenues and expenditures of the government and ensuring that the national budget is properly implemented in good infrastructural development. With the effectiveness in oversight functions the legislature have the constitutional power to participate in budgetary appropriation needed for good infrastructural development that can influence or shape

governance, and possibly carry out reforms that are sustainable at their constituency. See Fig 1.

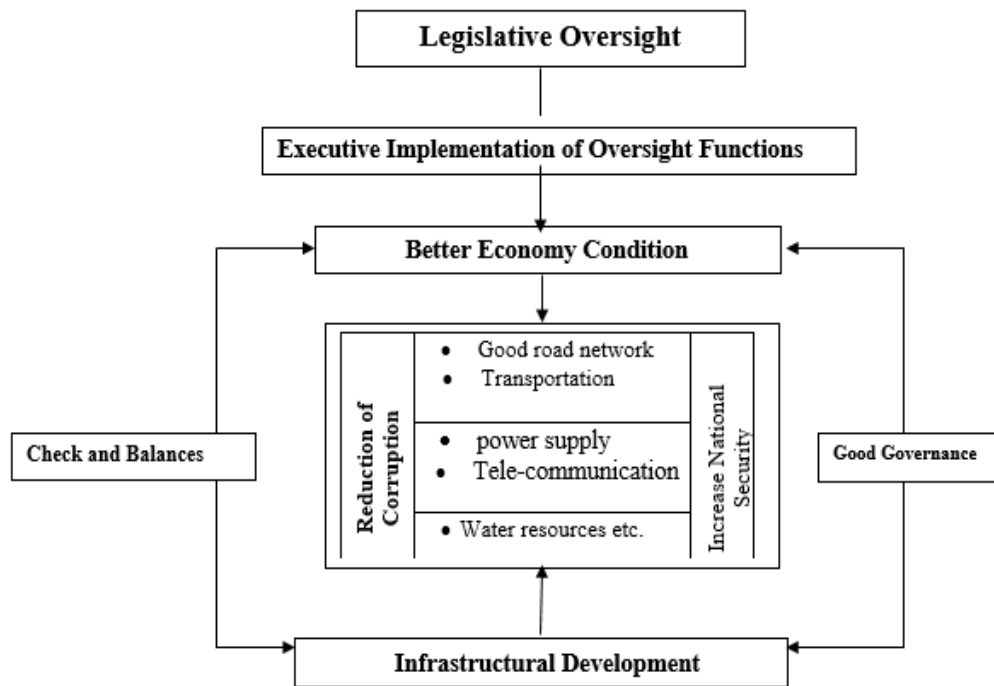


Fig.1: Legislative Oversight Function and Infrastructural Development

Source: Author’s initiative

2.2 The Nature of Infrastructure Development in Nigeria

Infrastructure development is one of the bases of assessing the achievements of democratic leaders and it is the foundation of good democratic governance. Agitation for infrastructural development is higher in democratic government than in military dictatorship or compared to developed countries. This is because the resources for provision of infrastructure are always scarce. Ethnic- interest agitation and lobbying are common things in democratic governance in developing countries. This is why the Office of Government Commerce (OGC) in United Kingdom, advised that infrastructure project initiation should be done by an office specifically established to do this job. The Infrastructural report of Nigeria just like any third world country is nothing to write home about. The housing situation is in a sorry state both quantitatively and qualitatively (Ajanlekoko, 2001; Nubi, 2000).

Eregha (2007). Argued that, the state of infrastructure of any state is directly related with the quality of life. “According to recent statistics, the quality of life for most people in Africa appears to have either not improved or only done so marginally. Adding that, this situation arose from the misrule of early leaders most of whom spearheaded the struggle for independence. The horrible state of affairs in Africa led to untold devastation of economies in the continent; people had to live below the poverty line with food insecurity, no shelter to accommodate them and no medical or educational facilities to give them some hope for the future. In each case, the oppressive conditions in which they lived with no basic infrastructure led these people to evolve gradually into a class of disgruntled citizens desperate for change.

Most infrastructures are now decayed and need repair, rehabilitation or replacement. Government is the system that plans, organizes, controls and supervises the people who are resident in an area in order for all to have conducive-environment for living and a sense of belonging. Governments have the power to put in place all measures that it deems fit will make an environment beneficial for living for everybody. Infrastructure development in democratic governance is more challenging because of the accessibility of people to government and involves identifying the right project, carrying out feasibility and viability studies and embarking out physical development of the project. The challenges are numerous and include finance, technology for development, maintenance and design. The challenges also include quality requirements of projects to meet international standard and to be sustainably developed. Projects must meet the carbon emission standard set by international organizations like International Standard Organization.

2.3. Legislative oversight and infrastructural development in Nigeria

Legislature is generally referred to as an official body, usually chosen by election, with the power to make, change, and repeal laws; as well as powers to represent the constituent units

and control government. Being the representatives of the various constituents, the members of the National Assembly, comprising the Senate and the House of Representatives, have the mandate to debate and reflect the concerns, opinions and interests of the constituents in government policy decisions. The legislature is very crucial in enforcing accountability and responsibility in any democratic setting. Oversight function is also a very important role of the modern legislature. Oversight function particularly appears to preoccupy modern legislatures. Oversight in the whole idea of democratic governance is that government should be accountable to the people.

The military era in Nigeria was for the most part of the economic boom and only succeeded in widening the gap in infrastructure demand and provision. Most infrastructures are now decayed and need repair or replacement. Government is the system that organizes and sensitizes the people of an area in other for all to have an acceptable community. Government has the power to put in place all measures that it deems fit will make an environment conducive for living for everybody. Infrastructure development in democratic governance involves identifying the right project, carrying out feasibility and viability studies and carrying out physical development of the project

Accountability and restraint are generally regarded as the substance of democratic governance. Democracy flourishes when a government is open, transparent, accountable and sensitive to public opinion. In consonance, Hamalai (2014) is of the opinion that “over the years, legislatures have become scrutinizing bodies, the principal role of which is to deliver responsible or accountable government”. Monitoring the actions of the executive ensures that they are carried out according to legal provisions and with greater efficiency. She further notes, however, that “the executives are not always willing partners in this process”. Fashagba (2012) affirmed that legislatures in some countries have gained a role in

approving macro fiscal framework. The Nigerian legislature belongs to the class of legislative assemblies vested with preponderance of power over fiscal matters, perhaps.

For a better understanding of the subject-matter of legislative oversight, it is necessary to examine the views of different scholars. Olson (2008) opines that ‘there is no consensus among scholars on the definition of legislative oversight and, like the broader field of legislative studies; the concept is under-theorized’. While there is sufficient literature on the subject in the United States, there exists only a relatively small number of studies elsewhere. According to Ndoma-Egba (2012), legislative oversight refers to the power of the legislature to review, monitor and supervise government agencies, programmes, activities and policy implementation strategies of the executive arm of government. Additionally, parliamentary oversight function is one of the cornerstones of democracy. Oversight is a means for holding the executive accountable for its actions and for ensuring that it implements policies in an effective manner. The robust monitoring of the executive by the parliament is an indicator of good governance

The legislature provides the institutional mechanism for ensuring accountability and good governance. Stapenhurst (2012) also noted that ‘In most countries, the legislature is constitutionally mandated as the institution through which governments are held accountable to the electorate’. Such oversight functions include scrutinizing and authorizing revenues and expenditures of the government and ensuring that the national budget is properly implemented. The constitutional power to participate in budgetary appropriation gives the legislature needed political influence to shape governance, and possibly carry out reforms that leads to national development. Fashagba (2012) affirmed that legislatures in some countries have gained a role in approving macro fiscal framework. The Nigerian legislature belongs to the class of legislative assemblies vested with preponderance of power over fiscal matters, perhaps

The other concept, national development, in the other hand depicts unending process of qualitative and quantitative transformation in the capacity of a state to organize the process of production and distribution of material benefits of society in a manner that sustains improvement in the wellbeing of its individual members in order to enhance their capacity to realize their full potentials, in furtherance of the positive transformation and sustenance of their society and humanity at large (Onuoha, 2013).

Among the familiar institutions of government stands the legislature, the mainstay of a representative democracy through which the will of the people can be expressed and implemented (Brunner, 2013; Mattes & Mozaffar, 2011).

2.4. Challenges impeding the performance of legislative oversight function in relation to infrastructural development

The foregoing analysis of the score card of the legislature in Nigeria shows that a lot needs to be done by the legislature to ensure or promote good governance in Nigeria and a considerable difference can be done through oversights. The challenges are numerous and include finance, technology for development, maintenance and design. The challenges also include international requirements of project to be sustainably developed. Projects must meet the carbon emission standard set by international organizations, communities must be bio-diversified and emit as little greenhouse gases (GHGs) as possible, natural environment must be preserved and so on. The law-making process is beset with a legion of challenges that need to be addressed squarely for the legislature to be truly independent of the executive in conducting oversights and achieve the much-needed succor for Nigerians through legislation. The challenges include the following:

2.4.1 Lack of Established Democratic Culture

The Nigeria's fledgling democracy is at its infancy, (Eine 2008). The debilitating effect of prolonged military rule in Nigeria has produced negative consequences that continue to

haunt individuals and institutions in Nigeria. The legislature is not an exception. The legislature today is truly not independent of the Executive and therefore, is often incapacitated from acting as the watchdog of executive activities. Annan (2005) Thus, the inordinate ambition of members and leadership of the legislative houses often sees them hob-nobbling with the executive such that valuable time for law-making is lost in the process of lobbying for juicy leadership positions and committees in the legislative houses.

2.4.2 Corruption and Nepotism

Corruption and nepotism have been the bane of public life in Nigeria. It is often rumored that bills hardly sail through the legislature until members have had their hands greased (Oyewo, 2007) The implication of this, therefore, is that debates on such bills either at the plenary or committee levels cannot be subjected to thorough scrutiny in the best interest of Nigerians who are the objects of such bills eventually when they become laws. It is indeed not too gratifying that such primordial and mundane issues have roles to play in passage of bills into law.

Aguda (2012) noted that while bribery and corruption could seriously undermine any system of government, they are not as fundamental in the damage they can do to a system of government as the breach of the principle of separation of powers or as a disregard for fair hearing as illustrated above. Hence, he made reference to the time-honoured procedure for the conduct of judicial or quasi-judicial proceedings which has long been well established by the courts in all the common law countries, including Nigeria. The procedure requires that any person against whom any allegation is made, or whose interest may be adversely affected by such allegation, or by any statement made, must be clearly and fully informed of such allegations or statements in advance of any trial or investigation involving the accused.

2.4.3 Personal Interests and Ambition of the Legislators

It is common knowledge that a good number of members of the legislative houses at both federal and state levels pursue pure selfish interests that often inhibit them from combating the challenges of law-making. Members pursue contracts from the leadership of the houses and even from the executive such that they easily compromise when it comes to contributing meaningfully to debates on the floor of the house. At times, some members resort to absenteeism from the floor of the house and do not participate at all in the proceedings. Again, many of the legislators have ambitions to contest for leadership positions in the house or membership and chairman of juicy committees. A lot of valuable legislative time is wasted while pursuing these ambitions.

2.4.4 Interference of the Executive Arm in Legislative Oversight

The legislature is given a lot of powers in the constitution to perform oversight functions and act as the watchdog of the executive. (See for example, Section 88 of the Constitution) Again, the legislature must screen and approve certain appointees of the executive. (See Sections 147, 154(1), 171(4), 231, 238 and 250 of the 1999 Constitution). The legislature is further empowered to even remove the President, Vice President, Governor and the Deputy Governor through impeachment procedure provided for in the constitution. (See Sections 148 and 188 of the constitution). It is however disheartening to say that the exercise of the above function to ensure good governance for the benefit of all and sundry is often interfered with and hampered by the executive. This is done, first and foremost, by the executive ensuring that their cronies are elected as the leaders of those houses through excessive politicking orchestrated and funded by the executive. Again, where the legislature musters enough courage and ventures to carry out any of the oversight functions, the executive often resorts to the use of money to pursue a “divide and rule” agenda to break the rank and file

of the legislators. The effect of the game is that good governance is denied to Nigerians who are entitled to have same.

It is also argued that the effectiveness of oversight activities rests squarely on capacity and resources as well as some political considerations. Langdon, (2012) noted that one crucial challenge which parliaments face is how their increased influence can contribute to governance improvements and overwhelming policy priority of countering poverty. The basis of its thrust is the experience emerging in various parliaments that suggests that effective oversight can greatly increase social accountability of governments, and thereby contribute to a significant result from poverty reduction policy goals. In his submission on the challenges of parliaments to accelerate poverty reduction through financial oversight, Langdon, (2012) noted that there are those who would seriously question such a possibility and it is common to hear major objections to a significant parliamentary role in economic policy making

Infrastructure development is the basis of measuring the performance of democratic leaders and it is the foundation of good democratic governance. Infrastructure is the medium, the tools and techniques of a project or programme or strategy. Demand for infrastructural development is higher and resources used in provision of infrastructure are limited. Ethnic-interest agitation and lobbying are common things in democratic governance.

Constituency fund was included in the National budgets in 2003, but not enacted as an Act of Parliament. Senator Mohammed Hassan represents Yobe South Constituency, Yobe State, in (2017), declared that this contradictory position of the government implies that the operation of constituency fund is concealed in bureaucratic secrecy that allows corruption to hold sway. As such, cases of corruption in the National Assembly bears substantial relation to budget padding and budget delay to increase allocation for constituency fund in the budget (Senator Mohammed Ndume, is the former chairman, Senate Committee on

Millennium Development Goals. This statement was adapted from Punch Newspaper, July 24, 2016.). In 2014, the former Senate President, David Mark and Speaker of the House of Representatives,

Aminu Tambuwal, were accused of padding the 2014 budget by N53 billion (Akpata, 2016). In the same vein, the former Chairman of Appropriations, Hon. Abdulmumin, Jibrin inflated the 2016 budget by adding about N250b constituency fund to the total figure as submitted by President Muhammadu Buhari. (Nigeria Model United Nations Society, 2016). The executive also delayed the release of the 2016 constituency fund to make the National Assembly approve external borrowing request of \$29.960billion by President Muhammadu Buhari (Ogunmade, 2016). Vocational and empowerment projects constitute other challenges to effective use of constituency fund in Nigeria. Vocational projects (such as vehicles, motorbikes, sewing machines, etc.) are incentives given to trained-and-skilled constituents to make a living, while empowerment projects are given to constituents as cash payments for free medical services, scholarship, etc. Provisions like these are prone to corruption. In an instance, the issue of accountability by the relevant MDAs involved in the purchase of these items and payment of cash comes to mind. Moreover, in what could be seen as party politics affairs, lawmakers distribute these items to party loyalist at the expense of other constituents' member. More often, the implementation of constituency project only begins during electioneering campaign when lawmakers are seeking reelection to retain their seats in the National Assembly. During this period, constituency projects Onyekpere, (2013) submitted that since 1999, hardly has capital budget implementation risen above 50 per cent at the end of the fiscal year.

Corruption and nepotism have been the bane of public life in Nigeria. It is often rumored that bills hardly sail through the legislature until members have had their hands greased (Akomoledede and Bosede: 2012). The implication of this, therefore, is that debates on such

bills either at the plenary or committee levels cannot be subjected to thorough scrutiny in the best interest of Nigerians who are the objects of such bills eventually when they become laws. It is indeed not too gratifying that such primordial and mundane issues have roles to play in passage of bills into law.

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2.5. Legislative Oversight and Infrastructural Development

The defects in the legislative oversight functions in Nigeria's present system of government have emerged explicitly in the instant executive and legislative conflicts of interests. Its manifestation raises the question whether the National Assembly [the Senate or the House of Representatives] have the constitutional power to conduct some kind of investigations. Assuming the House has such constitutional competence in its schedule, did it adhere to the constitutional procedure as laid down? The response is obviously not palatable. The challenges are many but any serious government can overcome them as a result of incessant research and development in infrastructure development worldwide.

The import of legislative oversight vis-à-vis effective implementation of constituency fund is anchored on the premise that legislators, being representative of the constituents, are vested with the mandate to promote good governance in their constituencies (Ashworth & de Mesquita, 2006 Lisa, 2012; Policy and legal Advocacy Centre, 2016). As such, the legislature reserved the power to hold the executive accountable on implementation of policies.

One of the measures put in place by the government to facilitate development is constituency fund. Constituency fund as evolved as a form of government funding appropriated by the legislature, directed to ensure equitable distribution of public goods through constituency-based project (Kakungu, 2013; Ochieng & Tubey, 2013; Ojwang, 2014). Public goods of this kind entail provision of boreholes and public health services, renovations of roads and parking facilities, lighting of public spaces and roadways, among others.

While the concept of constituency funds has assumed different nomenclature across polities (Hickey, 2010; International Budget Partnership, 2010), a defining feature of its mode of operation requires legislators to exercise substantial control over the distribution and allocation of funds for developmental project per constituency. In Zambia, Constituency Development Fund was approved by the Parliament in 1995 to provide opportunity for legislators to implement project in their constituency (Chibomba, 2013). Constituency Development Fund was established in Kenya under the Constituency Development Fund Act 2003 which allocate 'a specific part of the national annual budget to the constituencies for purposes of infrastructural development, wealth creation. Other country cases of constituency fund include Constituency Development Grant in Bhutan; Member of Parliament Local Area Development Scheme in India; Electoral Development Funds in Papua New Guinea; etc. (Africa Leadership Institute, 2009; Baskin, 2010; Baskin et al 2010; Chibomba, 2013). In Nigeria, constituency fund or zonal intervention fund was initiated to facilitate even distribution of projects in every part of the country as 'proper representation in the House of Representatives and in the Senate' (Udefuna E. 2013). Constituency fund thus provides avenue for legislators to present issues affecting their constituents in the Parliament for legislative action.

Legislative oversight should encourage checks and balances; this will enthrone fiscal discipline, good governance, accountability and transparency in public offices and meeting

the infrastructural demand of the citizens. It should promote accountability in government through enforcing efficiency and cost effectiveness in course of generating people-centered policies and programmes necessary to address the numerous challenges confronting governments at all levels.

Congressional oversight takes place when the National Assembly (the Senate and the House of Representatives) continually review the effectiveness of the executive arm in carrying out the congressional mandates through supervision, watchfulness, or review of executive actions and activities. This helps the National Assembly to establish issues and address problem areas in order to make the necessary improvements or changes to create an effective process. This legislative process brings to the knowledge of the public what the executive branch is doing, and it affords the electorates the opportunity to see what public office holders are actually doing, whether they are really serving their collective interest or not. Most often, the public is not aware of what the government is actually doing.

Further, good governance will be the only antidote that can bridge the wide gap. It promotes accountability, reduces corruption and therefore minimizes resource wastage through inefficiency. And finally, good governance ensures stability (economic and political) and reduces the level of risk associated with large and lumpy infrastructure investments. This in turn facilitates the mobilization of both public and private sector financing resources that are critical for infrastructure development.

2.6 Theoretical Framework

2.6.1 Almond's Structural Functional Theory: A Reflection on the Use of Oversight Tools by the Nigerian National Assembly.

Almond (1956) popularized the structural functional theory in political science which was hitherto a major framework for biological and sociological research. Almond views a political system as consisting of structures which perform role functions, while functions

deal with consequences involving objectives as well as processes and patterns of actions such that failure of one structure to perform its function leads to disorderliness of the political system. Structures are many and they include institutions such as legislature, executive, judiciary, political party, election management body, among others. Functions on the other hand are divided into input functions and output functions. The input functions are performed by non-governmental institutions and they include political socialization and recruitment, interest articulation, interest aggregation and political communication. The output functions on the other hand are performed by the government, which include rule making, rule application and rule adjudication (Almond & Coleman, 1960). Rulemaking function is performed by the legislature. Since all political structures are multifunctional (Almond, Powell, Strom, 2006), the legislature not only function as law-making institution but also performs oversight and representation function. Because it is a complex system whose parts work together to promote solidarity and stability (Almond & Coleman, 1960), ineffective use of oversight tools by the legislators causes disorderliness on the functioning of the political system.

The National Assembly which consists of two houses—the Senate and the House of Representatives- is Nigeria’s legislative arm of government. Oversight functions of the Nigerian National Assembly are stipulated in sections 88, 89, 128 and 129 of the Nigerian constitution (FRN, 1999). Oversight function empowers legislators to monitor and review the activities of the executive arm and its Ministries, Departments and Agencies (henceforth, MDAs) on a continuous basis to ensure effectiveness of government and compliance with appropriated policies (Fagbadebo, 2019; Policy and Legal Advocacy Centre, 2016). The exercise of oversight function by the National Assembly is carried out through a mechanism known as the committee system, which was formed for general and specific purposes. Oversight tools provided in the Nigerian constitution are investigative hearings, audit

queries, record checking, summons, location visits, interactive session, committee hearings, hearings in plenary sessions, questions, question time, and the public account committees (FRN, 1999). Pelizzo and Stapenhurst (2004) group these oversight tools into two viz: instruments of control ex ante and instruments of control ex post, which correspond to the timing of the oversight exercise.

Oversight tools as instrument of control ex ante are used before a policy is enacted by the government. Request of documentation, hearings in plenary sessions, hearings in committee, etc. becomes pertinent in this respect. On the other hand, oversight tools such as creation of committee of inquiry, questions, and interpellations, location visits, audit queries and record checking, which are used to check whether government policy is properly enacted, are instruments of control ex post (Pelizzo & Stapenhurst, 2004). However, the listing of these oversight tools does not suggest that the Nigerian National Assembly are accustomed with them nor made use of them effectively. Oversight tools are frequently used during budgeting process (e.g 'power of the purse'), which in most cases provide opportunity for the legislature to inflate budget figures on constituency fund (Akindele, et al., 2012; Alabi & Fashagba, 2010), or during confirmation of appointment of Ministers, Ambassador, High Commissioner and other principal representatives of the executive arm (questions and questions time).

2.6.2 Check and Balances Theory

The guarantee of liberty in any given government to the people is the practice of the theory of separation of powers. This theory according to Gettel, implies that, the three functions of the government —should be performed by different bodies of persons; each department (the legislature, the executive and judiciary) limited to its own sphere of action, and within that sphere should be independent and supreme (Chaturvedi; 2006). The theory of separation of powers is predicated on the premise that, if a single group holds all the three powers of the

government, they are bound to have unlimited powers. They could prescribe any law arresting say, criminals. Because, they exercise unlimited powers could pronounce the criminals guilty without recourse to fair trial. It is through the separation of powers that any given group cannot at the same time prescribe, execute and adjudicate in any case. Otherwise, there will be no justice. That is why, it is only through the combination of all these departments that a government can use force especially in a military rule. The theory of separation of powers means that, a different body of persons is to administer each of the three departments of government (The legislative, executive and judiciary). And that, no one of them is to have a controlling power over either of the others. Such separation is necessary for the purpose of preserving the liberty of the individual and for avoiding tyranny. The term —Separation of powers originated with Baron de Montesquieu, a French enlightenment writer. Nevertheless, the actual separation of powers amongst different branches of government can be traced to ancient Greece.

The framers of the American constitution decided to base the governmental system on this theory of separation of powers whereby the legislature, executive and judiciary branches will be separate from each other. This gave rise to the idea of checks and balances on each other. As a result, no one branch can gain absolute power or abuse the power given to them like in despotic military regimes. The model of separation of powers was first developed in ancient Greece and gained recognition by the Roman Republic as part of the unmodified constitution of the Roman Republic. In this model, the state is divided into branches, each with separate and independent powers and areas of responsibility in such a way that no branch has more powers than the other branches. This also, forms the concept of separation of church and state as is the practice in many countries of the world depending on the applicable legal structures and the prevailing views towards the exact roles of religion in the given society. In respect to our discussion, it will imply the roles assigned each of the

committees in oversight investigation, reporting its findings to the body of legislature thereby strengthening in practical terms the notion of checks and balances.

2.7 Effect of Legislative Oversight on infrastructural Development

Oversight function of the legislature relates to the role of providing effective checks on the performance of the executive arm and its agencies to ensure effective implementation of government policies for the good ordering of the society (Fagbadebo, 2019; Friedberg, 2011; Pelizzo & Stapenhurst, 2004).

According to Kathmandu Final Workshop Report (2009), infrastructure can help solve four problems: social; health and environment; development; and, economics. A region's infrastructure network, broadly speaking, is the very socio-economic climate created by the institutions that serve as conduits of trade and investment. Some of these institutions are public, others private. In either case, their roles in the context of integration are transformative, helping to change resources into outputs or to enhance trade by removing barriers. Therefore, an improvement in regional infrastructure is one of the key factors affecting the long-term economic growth of a region.

The principle of separation of power is the major ingredient of democracy which guarantees that the executive arm of government does not control the affairs of the legislature nor the judiciary. The doctrine of the separation of powers implies that there should be three separate organs of government with their separate sets of functions and powers. The presidential system of government being practiced in Nigeria makes provision for separation of powers, apportioning disparate powers and duties to the executive, legislative and judicial arms of government. Essentially, the legislature as a symbol of true democracy makes laws which the executive is under obligation to implement. The judiciary is legally called upon in the determination of civil rights and obligations to interpret the laws.

This system of government understands from the onset that powers may be abused and therefore introduced a system that guarantees checks and balances amongst the three arms of government. Therefore, through the power of interpretation, the courts can declare laws made by the legislature unconstitutional, null and void and of no effect whatsoever. On the other hand, the legislature has the power of oversight over the execution and administration of laws by the executive. The executive holds the powers of investigation, coercion and implementation of laws and can as well use these powers to call the legislature and judiciary to order (Onyekpere, 2012).

In other words, it implies that the three organs of government should be kept apart from each other in the interest of individual liberty and it is a perfect system created for the overall benefit of the citizens. The functions of the government should be differentiated and performed by different organs consisting of different bodies of persons so that each department be limited to its respective sphere of activity and not be able to encroach upon the independence and jurisdiction of another (Johari, 1989:280). The principal function of the executive is to execute laws, orders, rules, regulations, decrees, prevention of the breaches of law, rendering a host of social welfare services and meting punishment to the delinquents so as to maintain peace and good government. On the other hand, in spite of its primary function of legislating laws, amending or repealing existing laws, the legislature serves a number of overlapping objectives and purposes to improve the efficiency, economy, and effectiveness of governmental operations; evaluate programmes and performance; detect and prevent poor administration, waste, abuse, arbitrary and capricious behaviour, or illegal and unconstitutional conduct; protect civil liberties and constitutional rights; inform the general public and ensure that executive policies reflect the public interest; gather information to develop new legislative proposals or to amend existing statutes; ensure

administrative compliance with legislative intent; and prevent executive encroachment on legislative authority and prerogatives encapsulates in oversight functions.

Application of the theory

The legislature is a critical component of the three arms of government which form the structure of the Nigerian political system. Within this structure, the legislature performs functions which contribute to the effectiveness of the system to provide the dividends of democracy to the Nigerian people. Oversight performance is one of those critical legislative functions and its positive or negative conduct affects the output of the political system. The principal-agent model further explains the nature and trajectory of governance in an ideal arrangement where roles are performed within the framework of extant provisions. Sadly, a sharp disconnect and blatant disregard for the demands of the good governance, justice, equity and probity have seen a reversal of roles in the Nigerian context, where the executive assumes a position of principal and the citizens are treated like agents. This leaves the legislature in a quandary in the performance of its role as a representative body. In this regard, this study promises to be insightful, probing and interesting while humble recommendations will be provided to halt this ideological and cultural haemorrhage.

Critiques of the Literature

It is also worthy of note here to mention that there is a clear silence in the literature concerning the role of the executive arm of government and its agencies in ensuring that oversight functions can be performed effectively by the legislature. In a society like ours at least under the past regimes) where public officials and government bodies undermine the constitutional authority vested in the National Assembly in Section 4 of the CFRN 1999 (as amended) and then take laws into their hands, ignore legislative calls and resolutions amongst other infractions. Oversight performance cannot be effective, we must imbibe a

democratic culture that understands the limits to the powers of each arm of government and respect for the statutory institutions of government. The era of rule of man over the rule of law cannot offer any benefits to effective oversight performance, and the voters, who are the “ultimate principals” here, are hardest hit and are forced to bear the brunt.

2.8 Summary of Literature Review

The review of related literature on the subject matter has shown that legislatures are very crucial in enforcing accountability and responsibility in any democratic setting. Oversight function is also a very important role of the modern legislature. Oversight function particularly appears to preoccupy modern legislatures. Fashagba (2012) affirmed that legislatures in some countries have gained a role in approving macro fiscal framework. It is observed that the Nigerian legislature belongs to the class of legislative assemblies vested with preponderance of power over fiscal matters, perhaps. Thus, there has been a consistent spoke of the pandemonium typical of the proceedings, of discouraging absenteeism and chronic lateness on the part of members when issues of infrastructural development are deliberated. They also found a widespread lack of understanding of the issues due to element of misappropriation.

Many legislators proved themselves great strangers to decorum as well as cultivated etiquette and morality which alone imbue leaders of the people with sacerdotal sense of duty to the public. Some of them become unimaginably arrogant and devoid of morality. On the whole, they converted the legislature into a purely private business group for themselves and subjugated the higher national interest to their private ends. Such behaviour completely negated the noble ideals which, as John Locke proposed, motivated the formation of the human society

Given the specificity of the Nigerian political environment, there are some variables that are applicable in the model legislature (such as United States Congress) that are not applicable in developing legislature -Nigeria's National Assembly (vice versa).

The review highlighted the key concept as reviewed by scholars with emphasis on the growing discontent in the Nigerian public that the legislature has derailed in its responsibilities to Nigerians, and, instead, has championed a course of elite parochialism and insensitivity to the plight of the average Nigerian citizen. The theoretical background forms the basis of this study.

2.9 Gap in the study

From the review of the literature, the study has been able to highlight the concept of legislature, oversight functions, and effect on infrastructural development. It also examined the challenges of legislatures on Infrastructural development in Nigerian. However, a number of gaps were identified in the literature. First, is the differences in the epistemological standpoint among scholars and practitioners in defining the concept of legislature and infrastructural development, while some sees legislative function from the perspective of constituent motives in carrying out their responsibilities, others see it from the perspective of the lawmaking function which the situation before them is primary established to perform.

While the study appreciates the scholars in defining the concept especially as it relates to the infrastructural development. It is worthy to note here that there is a clear silence in the literature concerning infrastructural development. Its significance of its oversight in entrenching good governance as recognized institution that is constitutionally charged with the responsibility to represent the interest of the people by scrutinizing policies, and actions of other arms of government and approve budget among the functions for the purpose of promoting good governance is inevitable.

The study also identified some significant contradictory gaps on the interest of the legislatures in engaging the subject matter, more often than not resulted in the argument that the peculiarity of the dynamics of Nigeria government and politics do not allow the adoption of most of the indicators of measuring legislative effectiveness in the Nigeria National Assembly.

Also, Investigation of the related literature reveal that there are challenges in the oversight functions of the legislature in relation to infrastructural development. This is seen in the desirability of constituency projects and level of satisfaction expressed by the beneficiaries (constituents), there are no revolutionary modification to the modus operandi by which constituency projects emanated and raise the questions of who should initiate the project - the legislature or the people. The dynamics of the country-case study is taken into perspective and the complexities of modern government system and bureaucracy with the view to uncover peculiarities in the operations of government and policies across national polities that involve infrastructural development. It is against this background the study becomes imperative to investigate the role of legislative oversight on infrastructural development in Nigeria.

CHAPTER THREE

RESEARCH METHODOLOGY

This chapter discussed the procedure adopted in conducting this study. It describes how data and information were obtained and analysed to answer the research questions. Hence, the research design, the population of the study, sampling procedure, sample size, research instrument(s), validity and reliability of instrument, sources of data and method of data analysis are described in this chapter.

3.1 Research Design

This study adopted qualitative research method. The choice of research design is because the study employed the use of structured key informant interview (KII). This is to enable the researcher get broad opinion and feeling of legislative oversight in the National Assembly. According to George (2012), this approach is suitable in order to get adequate, timely, and firsthand information and to permit informed decision on legislative oversight and infrastructural development in Nigeria.

3.2 Sources of Data

Only primary data collection is used in this study. The primary source involves the use of Key Informant Interview (KII) to collect data and information from respondents selected across the National Assemblies (Senate and House of representative), Federal Ministries, and Civil Society Organization (CSOs).

3.3 Study Location

The research was a retrospective in nature with particular reference to the 9th assembly (2019-2023) conducted in the FCT-Abuja which is the seat of legislative and executive arms of government in Nigeria. The National Assembly comprise of the Senate, and the of House of Representatives. The government agencies that are also involved in the study are located in the three Arms Zone of the Central Business District of Abuja, Nigeria.

3.4 Population of the Study

The population of the study was drawn from standing committees in the Senate, House of Representatives, Federal Ministries and Civil Society Organizations residing in the Federal Capital Territory with an estimated total of two thousand six hundred and sixty-two

Table 1. Population of the study

POPULATION STUDY SUMMARY TABLE			
S/N	Description	Population Study Category	Population size
1	National Assembly	Senate Committee:	
		Transportation (land)	15
		Telecommunication	16
		Estate and works	10
		Aviation	12
		Power	18
2	National Assembly	House of Rep Committee:	
		Transportation (Land)	20
		Telecommunication	24
		Aviation	22
		Power	25
		Estate and Works	30
3	Federal Ministries	Ministry of Transportation (Land)	350
		Ministry of Telecommunication	200
		Ministry of Aviation	250
		Ministry of Works & Housing	500
		Ministry of Power	400

4	Civil Society Organization	CISLAC	70
		Nigeria Society of Engineers (NSE)	700
	Total		2,662

Source: Field Survey, June 2024

3.5 Sampling Technique and Sample Size

The essence of the sample selection is to manage the number of respondents and reduce the overall population under investigation. Purposive sampling technique is adopted to select the number of target audience for the study. This is due to the nature of the study that requires collection of data from key informant. Thus, members of the National Assembly committees performing oversight function in Transportation, Power, Telecommunication, and Aviation are selected. 10 respondents were selected from Senate and another 10 respondents from the House of Representatives. In addition to the National Assembly, 13 respondents from the executive arm of government are also involved in the study. These include 4 respondents from the Federal Ministries of Works & Housing and Aviation each, 3 respondents from the Ministry of Transportation, 2 respondents from the Ministry of Telecommunication. To triangulate the information from the National Assembly and the Executive arm, some CSOs are also interviewed for the study. While lawmakers and the executive provide official information on the operation of constituency fund and oversight functions, Civil Society Organizations as gatekeepers of the system help to sieve and balance the views of the politicians. 7 respondents from Civil Society Organizations are interviewed. This includes 3 respondents from the Nigerian Society of Engineers (NSE) and 4 respondents from CISLAC. In all, a total of 40 respondents are used in the study.

The choice of respondents for the study was based on purposeful selection, ease of accessibility to information to be provided and timely retrieval of the feedback, hence the Ministries, agencies, and civil society organizations were selected for the study.

(See table 3.1 below)

Table 3.1. Summary of Sample of the study

This table provides the breakdown of sources of respondents as they all pleaded to be anonymous hence the names of their agency, committees, MDAs were used to describe the source.

S/N	Population	Sample Selection	No of Respondents	Total
1	National Assembly	Senate Committee:		
		Transportation (land)	1	
		Telecommunication	4	
		Estate and works	1	10
		Aviation	3	
		Power	1	
2		House of Rep Committee:		
		Transportation (Land)	3	
		Telecommunication	2	
		Aviation	2	10
		Power	2	
		Estate and Works	1	
3	Federal Ministries	Ministry of Transportation (Land)	3	
		Ministry of Telecommunication	2	
		Ministry of Aviation	4	13

		Ministry of Works & Housing	4	
		Ministry of Power	-	
	Civil Society Organizations	CISLAC	4	7
		Nigeria Society of Engineers (NSE)	3	
	Total		40	40

Source: Field Survey, June 2024

3.6 Research Instrument

For the purpose of this research, only one method of data collection is adopted for the study. A well-constructed key Informant Interview (KII) was used for data collection. The structured interview questionnaire targeted key members on the subject matter oversight function. Items on the subsections measures the legislative oversight functions on infrastructural development, effect of legislative oversight on infrastructural development, and challenges.

3.6.1 Method of Data Analysis

Qualitative methods are used for the analysis of data. Thematic and content analysis are used for analysing the data obtained through the interviews. The key themes from the data collected are analysed to get insights into the key issues while quotes from the interviews are also used to support the themes.

3.7 Validity and Reliability of the Instrument

To ensure the validity and reliability of the instrument used, the researcher make use of some experts, who checked for the face, content and construct validity of instruments and make corrections. The items were screened by my supervisor by removing irrelevant items and making necessary suggestions on the instrument. After adhering to their suggestions, the final corrected instrument was used for the study.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND DISCUSSION OF FINDINGS

This chapter presents the analysis which is based on the data collected from the in-depth interviews conducted with 40 informants in attempt to analyze the effect of legislative oversight on infrastructural development. The data from the interview was carried out by applying a thematic analysis approach. The thematic approach allows the analysis to be presented in themes and sub-themes were presented. Parameters for analysis are drawn from the data collected from informants in the field and aid the researcher in drawing authentic conclusions and making appropriate suggestions and recommendations.

4.1 Demographic Profile of the Informants

Agencies/ Committees	Variables	Frequency	Percentages	SEX
Senate Committees	Committee on Aviation	3	25%	M
	Committee on Power	1		
	Committee on Communication	4		
	Estate and Works	1		
	Committee on Land Transport	1		
House of Representative Committee	Committee on Aviation	2	25%	M
	Committee on Communication	2		
		2		

	Committee on Land	1		
	Transport	3		
	Estate and Works			
	Committee on Power			
Federal Ministries	Ministry of Transportation	3	32.5%	M
	Ministry of Communication	2		
	Ministry of Aviation	4		
	Ministry of Works & Housing	4		
	Ministry of Power	Nil		
Civil Societies Organizations (CSO)	CISLAC	4	17.5%	6 -M, 1 -F
	Nigeria Society of Engineers (NSE) FCDA	3		
	Total	40	100.0%	

Source: Field Survey, June 2024

Table 4.1 Revealed the demographic profile of the informants across male and female participants, 39 were male, representing 99% while 1 were female representing 1%. This is just to show a cross section of respondents and not to be mistaken for female opinion against male counterparts. Furthermore, a spread of respondents shows a total of 10 from Senate (25%) 10 from the House of Representatives (25%) 13 from Federal Ministries (32.5%) and 7 from Civil Society Organizations (CSOs) (17.5%). The data for the study was collected from respondents with knowledge of or actively involved in oversight.

4.2 Key Findings from the Analysis of the Data

4.2.1 The Effectiveness of Legislative Oversight in Infrastructure Development

The National Assembly is ineffective and inefficient in performing its oversight. The influence of legislative oversight on infrastructural development in Nigeria can be traced to the birth of the Fourth Republic in 1999, legislative oversight had been a useful instrument for checking the excesses of the executive and its agencies as well as monitoring the activities of government as a whole. It was used at different times to request government agencies for information and clarification of policies as well as investigation of infractions of public trust and led to the reversal of some unpopular policies as well as recovering of funds found to have been wrongly appropriated. To effectively analyze the data gathered in the course of this study and draw inferences from it, this study adopts thematic analysis of the issues raised in the instrument. On whether the National Assembly is succeeding effectively in discharging its oversight functions over the executive arm of government. The informant's responses are captured under these two themes.

From the study, it was established that legislative oversight has not been effective in promoting infrastructure projects in Nigeria. Also, the nation's apex legislative assembly has not been ineffective and efficient in the discharge of its oversight functions especially as it relates to infrastructural development. Accordingly, other informants are of the view that the inefficiency and ineffectiveness of the National Assembly oversight was due to the issue corruption and personal interests of the lawmakers who strive to enrich themselves at the expense of exercising their oversight effectively on the executive.

The study observed that the oversight function of the legislature regarding infrastructural development have been inefficient and ineffective as informants indicated that the nation's apex legislative assembly has not been ineffective and efficient in the discharge of its oversight functions especially as it relates to infrastructural development. They blamed the

inefficiency and ineffectiveness of the National Assembly oversight mandate on corruption and personal interests of the lawmakers who strive to enrich themselves at the expense of effectively overseeing the executive.

Accordingly, some informants expressed that:

There is a lot of personal interest among these officers the personal interest ambitions of the legislators hinder the discharge of their oversight functions of the National Assembly over the executive arm of government. (Informants V, IX, & XIV).

Conversely, Lack of integrity of the process, inadequate experience, and financial mismanagement arising from the level of interest applied by the lawmakers during oversight.

Similarly, informants III & VI believed that

The integrity of the process is undermined by a lack of experience and corrupt practices. To a certain degree, there have been numerous claims of financial mismanagement. However, evaluations of such allegations may differ based on individual viewpoints and the particular standards of interest applied to judge their effectiveness

The finding indicates that the process has been characterized by cases of corruption in the legislature, shallow democratic culture, undue interference in the activities of the legislature by individuals and groups outside the legislature, alleged encroachment on the powers of other arms of government, and inadequate funding of the legislative committees, among others.

However, effective legislative oversight in Nigeria requires the active involvement of non-state actors and agencies, strengthening of the committee system in the legislature, proper funding, and orientation about parliamentary procedures for legislators. However, feedback findings from the study on the effectiveness of legislative oversight show that:

Informants VIII, XV, & XX expressed that:

The oversight is not effective, and efficient due to lapses in administrative malfunction and, the inability to implement yearly budgeted projects to some extent but more is expected to be rated successful. Poor because there is no visibility of development. Not optimal and less effective. It has contributed little or nothing to infrastructural development in the country.

Also, another informant elaborated that the committees agree that there are lapses among committees' members in oversight functions over the executive arm of government. While oversight is intended to ensure accountability and effective use of resources, the impact on infrastructural development depends on various factors such as the implementation of recommendation allocation of funds and the effectiveness of the oversight mechanism

Corroborating this view, other informants believed that:

The executive's lack of willingness to implement legislative oversight findings in Nigeria stems from factors such as misaligned incentives of elected officials, power struggles between branches, and a general lack of cooperation and shared goals between the Executive and Legislature. (Informants X, XIV, & XXX).

A significant portion of legislative oversight work in Nigeria is deficient. Committees play a crucial role in overseeing various aspects of government activities, including budget implementation, policy execution, and program evaluation. However, the level of their effectiveness is still questionable and underperforming as majority of the respondents gave an abysmal performance of less than 50% or more rating.

Accordingly, informants IV, VIII, & XVI agreed that:

The National Assembly is moderately effective in its oversight role, having a significant but not complete influence on the executive's actions. This rating implies that the Assembly is doing a good job but could improve further to achieve a higher level of influence.

The National Assembly equally possesses the tools and constitutional powers to undertake oversight; what it lacks so far is the political will of National Assembly representatives and

senators to use these tools and powers effectively to influence their oversight functions. Excerpt from House Committee on Marine Transportation alludes to the fact that the National Assembly performs most of their oversight functions through the committee they oversee

Equally, informants agreed that oversight functions are obviously spread itself across the daily work of the ministry as seen in the scarcity and unavailability of some core working components for efficient delivery. Examples are dependable power supply, stationaries, and equipment.

Supporting the above views, Informants IV, VII, and XIV revealed that:

The poor logistics arrangements and insufficient funding within government agencies constrain their operational capacity, which in turn impedes the National Assembly's ability to effectively oversee the executive branch and hold it accountable.

Additionally, the effect of the oversight function of the National Assembly has not been optimal and less effective, with no strict checks and balances on Government agencies as a result no form of accountability. In view of this, they ought to take steps to ensure their oversight functions translate to better infrastructural development in the Country.

Informants IX, XXX, & XXXII submitted that:

Prioritizing oversight and accountability, governments can ensure that their agencies operate efficiently, transparently, and in the best interests of the people they serve.

Furthermore, responses from committee member on Aviation revealed that Contribution of the National Assembly of Nigeria's oversight functions to infrastructural development in the Country can be debated. However, there is some level of success but has been criticized for allowing corruption and embezzlement due to a weak operational framework.

Similarly, Informant V, XIV, & XXII highlighted that:

The National Assembly is yet to meet up with infrastructure development in Nigeria. NASS oversight activities on infrastructural development play an integral role in driving economic growth and fostering sustainable development in Nigeria.

In its responsibility as a watch dog over public finance it ensures that the executive manages the capital resources of the Nigerian State in order to ensure good governance, accountability and probity for a sustainable democracy and viable economy. Section 88 of the Constitution empowers the National Assembly to conduct investigations into the affairs of government and one of the instruments used by the legislature in investigating Committees like appropriation, Standing Committees, ad-hoc Committees, audit Committees, and various other committees set up by the legislature to analyze information concerning the administration of programs and implementation of governmental policies. However, most of these processes are hindered by some bureaucratic bottlenecks

Corroborating this, informants III, IV, XII, & XX alluded that:

The whole process of legislative oversight on infrastructural development is very cumbersome involving too much bureaucracy. Legislative oversight is crucial for ensuring accountability and effective infrastructure development, the process in Nigeria is hampered by political interference, lack of resources, personal interests, capacity deficits, and cumbersome bureaucratic procedures.

A good number of respondents strongly agreed that the utilization of constituency projects in MDAs reveals the potency of oversight. Adding that, in theory, the National Assembly has the power to carry out its mandate, however, in reality, there is interference from the Executive. Particularly on the type of project that needs to be carried out, especially during the level of appropriation.

Accordingly, informants IV, VII, XXV, & XXX disclosed that:

Interference from the Executive on what is to be prioritized in the National Budget and appropriation bill/act. Additionally, there is an ongoing tension and debate around the appropriate distribution of budgetary powers between the executive and legislative branches, without a clear consensus on the optimal approach.

Despite the prevailing circumstances that the National Assembly is faced with particularly on infrastructural development, to an extent there have been some positive impacts on the impact development, this was seen as feedback from respondents where the result of respondents shows that the National Assembly has contributed in improving basic roads at some areas.

For instance, informants VI, IX, XXI, & XXXX noted that:

The oversight activities of the National Assembly in Nigeria have played a significant role in infrastructural development, although there are areas that require improvement in the execution of infrastructure projects.

The extent, of infrastructural development is considered crucial for Nigeria's progress, so many Committee members likely recognize its significance and the extent to which they prioritize may differ interview conducted on respondents revealed the following:

Individual Priorities: Committee members often have diverse backgrounds, interests, and priorities. Some may prioritize infrastructural development highly due to its importance for economic growth, job creation, or public safety, while others may focus more on other issues such as healthcare, education, or national security. Langdon, (2012) noted that there are those who would seriously question such a possibility and it is common to hear major objections to a significant parliamentary role in economic policy making.

In line with this view, informants II, VI, X, and XIX clarified that:

The interest of Committee members regarding infrastructural development can vary. Some members may prioritize infrastructural projects due to their importance for economic growth and social development, while others may focus on different issues depending on their Constituent's needs, personal interests, or political agendas.

Responses from committee members on oversight function revealed a significant portion of legislative oversight work is conducted at the committee level because committees play a crucial role in overseeing various aspects of government activities, including budget implementation, policy execution, and program evaluation.

In support of the above, informants IV, XIII, XXV, & XXXIII stated that:

The bulk of legislative oversight work is not done at the committee level is not entirely accurate. This is because the work of standing committees, select committees, and task forces may include oversight activities. The most direct and formal oversight functions are carried out by special or select committees created to review very specific and narrowly defined issues

While legislative oversight can indeed occur through various channels beyond committees, it is important to note that oversight activities occur through plenary Sessions, where all members of the assembly participate in discussions, such as floor debates, hearings, reports, constituent interactions, and decision-making processes regarding oversight matters as committees remain a critical component of the oversight process. This view corresponds with Shafritz, Russell and Borick (2016), who explained that oversight functions can take many forms and the most common is the annual congressional hearing of agency budget request where agencies have to defend or justify their activities in satisfaction of the congress.

Committees are often where much of the detailed examination and analysis of proposed legislation and government activities take place. They provide a structured environment for members of Congress to review agency actions, conduct investigations, hold hearings, and gather evidence on issues within their jurisdiction.

In other words, members of Congress may engage in oversight through informal channels, such as meetings with agency officials, inquiries to executive branch agencies, or through constituent services. Additionally, oversight can occur on the floor of the House or Senate during debates on legislation or through the consideration of amendments.

While committees play a significant role in legislative oversight, it is not accurate to say that the bulk of oversight work occurs exclusively within committee settings.

Justifying this, informants XVI and XX noted that:

The National Assembly faces significant challenges in exercising effective oversight over the executive's handling of infrastructure development in Nigeria. Factors such as limited political will, inadequate resources, executive interference, and self-interest among legislators hinder their ability to hold the executive accountable and ensure the efficient delivery of infrastructure projects.

Interviews and discussions with the chairman of the House of representative committee on Communication revealed that in most cases, the exercise is marred by lack of experience and corruption of members which is a serious problem that concerns the nation and large. To buttress this views, Stair-Hall (2011) in his opinion upheld that legislative oversight in Nigeria can only review and evaluate selected activities of the executive branch of government. Adding that the legislative branch will conduct oversight activities because it has not only the power to enact new programs for the state, but also has a duty to ensure that existing programs are implemented and administered efficiently, effectively, and in a manner consistent with legislative intent.

Responses from respondents show that some would argue that oversight has helped to uncover mismanagement and inefficiencies that could hinder infrastructural development, while others criticize the pace and effectiveness of legislative oversight in driving tangible infrastructure improvements.

Contrary to the above, informants *VI and XX* stated that:

The National Assembly has marginally contributed to the infrastructural development in Nigeria, but there have been many abandoned projects over the years. The National Assembly has made efforts through constituency projects and budgetary allocations, but the impact on actual infrastructure development has been limited due to issues with project selection, execution, and coordination.

The reason is not far from corruption and inexperience of committee members as indicated by the chairman of the House of Representatives Committee on communication. Also, section 103 of the constitution of the Federal Republic of Nigeria 1999 (as altered) empowered the house to appoint a committee for any purpose it may deem fit. Nonetheless, Arowolo (2010) and Fashagba (2019) opine that the effectiveness of committees is determined by several factors such as the experience and skills of members and staff adequate funding. Also, oversight activities of Selected Committees from 2019-2022 is not carried out in a vacuum; it is the special preserve of the engine room of the legislature. Committees perform specific functions all geared towards ensuring proper scrutiny of government processes and spending on infrastructure development. Further, responses indicated that their contribution is minimal, largely because of numerous projects that have been deserted.

Assessing the performance of legislative oversight on infrastructure from 2019 to 2023 would require a detailed analysis of various factors, including legislative actions, policy outcomes, infrastructure development projects, budget allocations, and the overall impact

on society and the economy. Here's a broad overview of how such an assessment might unfold:

Legislative Actions: Evaluate the number and significance of bills, resolutions, and hearings related to infrastructure that were introduced and passed during this period. Assess the comprehensiveness and effectiveness of these legislative measures in addressing infrastructure challenges.

Budget Allocations: Analyze the allocation of funds for infrastructure projects in annual budgets. Assess whether these allocations were sufficient to address the needs of different sectors such as transportation, aviation, power, and telecommunications.

Oversight Activities: Examine the extent to which legislative committees conducted oversight hearings, investigations, and audits related to infrastructure projects and programs. Evaluate the outcomes of these oversight activities in terms of accountability, transparency, and improvement in project implementation

4.2.2 Challenges Impeding the Performance of Legislative Oversight Functions in Relation to Infrastructural Development

The Nigeria legislature belongs to the class of legislative assemblies vested with preponderance of power over fiscal matters. Apart from law-making the oversight function is also a very important role of the modern legislature. However, many is of the opinion that “the watchdog function is perhaps more important for a legislative assembly than that of lawmaking. However, despite the powers, functions, and privileges provided for the legislature in most Nigerian constitutions, after independence, comments and observations have shown that this organ has not lived up to expectations. Furthermore, feedback from majority of the respondents indicated that corruption have been the most challenging factor affecting the legislative oversight function.

Informants III, VI, VIII, & XIV reiterated that:

Corruption has eaten deep into our legislative arm of government, there is huge corruption in the system too much delay in the process of project delivery to the people. This systemic corruption has severely undermined the National Assembly's ability to function effectively and fulfill its mandate of serving the Nigerian people.

Another very important challenge faced by the National Assembly in performing its oversight function has been the issue of mismanagement or diversion of funds. In this regard, most of the respondents lamented the negative impact of this challenge which has slowed the progression of infrastructural development in the country, also limited budget allocations and inefficient utilization of resources have restricted the scale and pace of infrastructure development.

In line with this, Informants X, XII, and V stated that:

Corruption I would say has been a major issue that has inhibited the development of the Nigerian State in almost all sector, theft by high-ranking officials and mismanagement and diversion of public funds.

Political Interference: Political considerations sometimes take precedence over technical or economic feasibility in decision-making processes related to infrastructure projects. However, this can ultimately lead to the prioritization of projects based on political motives rather than their potential impact or necessity. The view of one civil society legislative Advocacy center shows that political interference affects level of infrastructural development.

In support of that, informants VI, IX, & X

Lack of accountability, corruption, and political interference affect the prioritization of projects and interference from the Executive on what should be prioritized in the National budget.

Weak Institutional Capacity and Inadequate technical expertise and institutional capacity within government agencies can *impede* effective planning, execution and monitoring of infrastructure projects. Implementing quality infrastructure projects requires technical expertise in various fields such as engineering, urban planning, and project management which leads to irregularities in completely carrying out their oversight functions. However, the view of the House of Representatives committee on power.

In a similar dimension, informants I, II, VII & XXX added:

Irregularity of oversight functions carried out as at when due and lack of proper monitoring and evaluation in infrastructural projects carried out in various agencies.

Furthermore, responses from respondents on oversight functions indicated that the National Assembly is limited by the enhancement of Ministries Departments and Agencies (MDA's) to provide logistics, high turnover of members affects legislative effectiveness, weak committee system including staffing and lack of commitment and changes in Government. Generally, a good number of the respondents considered Changes in the policy direction of the project as crucial for Nigeria's progress, so many Committee members likely recognize its significance. Responses indicate that some proposed projects are being politicized and Budget slashed for proposed projects.

This was buttressed by informants VI, X, and XXII who revealed this:

Lack of adequate information and data, Poor backward and forward leakages, Lack of accountability, time inadequacy Poor Logistics arrangement, and Poor leadership and management.

Funding Constraints is a major concern of good infrastructural development as projects often require significant financial resources, budgetary provisions and politics for full implementation and success of projects and budgetary constraints can limit the government's

ability to invest adequately in infrastructure development. Additionally, mismanagement of funds or diversion of allocated funds can further exacerbate the problem.

In another development, other informants observed that:

Funding is a major challenge, the sponsorship of visits to carry out oversight functions shouldn't be an issue. Others pointed out that highlight the inadequacy of resources, both material and financial, as a key deficiency that undermines the legislature's ability to properly oversee the executive branch.

Political will can be considered as a major factor that influences infrastructural development, without which implementation of developmental processes will be affected. Additionally, Political considerations sometimes take precedence over technical or economic feasibility in decision-making processes related to infrastructure projects. This can lead to the prioritization of projects based on political motives rather than their potential impact or necessity. Feedback from one of the civil society organizations holds that Political Considerations sometimes influence project selection and implementation, diverting resources away from priority infrastructure needs.

In support of this, informants I, III & VI stated that:

The executive arm of government lacks readiness to implement some of the policy decisions and resolution of the findings from the oversight activities of the legislatures.

Inadequate planning and coordination among government agencies involved in infrastructure development can result in disjointed efforts and inefficiencies. The lack of a comprehensive long-term infrastructure plan can lead to projects being implemented in isolation without considering their broader implications or synergies with other initiatives. Consequently, Weak Institutional Capacity and Inadequate technical expertise and institutional capacity within government agencies can *impede* the effective planning, execution, and monitoring of infrastructure projects. Implementing quality infrastructure

projects requires technical expertise in various fields such as engineering, urban planning, and project management.

This is buttressed the above view, informants V, VII, XXII, & XXX indicated that:

The Lack of cooperation between the Ministries Department and Agencies and National Assembly for the efficient and effective exercise of the oversight function. Additionally, the lack of cooperation between the legislature and executive, coupled with resource constraints and capacity gaps, significantly impairs the National Assembly's ability to provide meaningful oversight over government agencies and ensure accountability.

Lack of adequate information most times affects the implementation of infrastructural development in the country; however, this was the view of respondent that the National Assembly lacks adequate information to carry out specific oversight functions regarding to good infrastructural development in the country.

In addition to the above, informants IX & XXX highlighted that: *Lack of adequate information and data to perform specific oversight function was the major challenges bedeviling the National Assembly from exercising their oversight function over the executive arm of government.*

Legislative oversight does not affect infrastructural Development.

The effectiveness of the National Assembly's oversight function can be considered relative. While there have been instances of significant achievements, the overall impact varies based on numerous factors such as the political climate, the level of transparency within government agencies, and the commitment to accountability by public officials.

National Assembly succeeding in effectively discharging its oversight functions over the Executive arm of government, the personal interest ambitions of the legislators hinder the discharge of their oversight functions over the executive arm of government.

A good number of informants rated the effectiveness of NASS on oversight activities as being average, while other members rated it very poor, this is observed according to the committee members in the following areas:

Stakeholder Engagement: Consider the extent to which legislators engaged with various stakeholders, including government agencies, private sector entities, civil society organizations, and communities affected by infrastructure projects evaluate the effectiveness of stakeholder engagement in addressing concerns, resolving conflicts, and promoting public participation.

Public Impact: Assess the overall impact of infrastructure investments and policies on economic growth, job creation, public safety, environmental sustainability, and social equity. Consider the extent to which legislative oversight contributed to positive outcomes for the public and addressed the needs of underserved communities. Also, Response to oversight visit to the Federal Ministry of Land Housing and Urban Development prototype and sites and services projects done in some locations in FCT. Take for instance projects in Gwagwalada and Kuje that were done some time ago which were not adequately supervised and executed as the contractor handling the Kuje project estimated the level of completion at 30% when the budget year was almost over. The committee condemned the total amount released for the three (3) projects as the aspect of the project implemented did not tally with the work done

The effectiveness is below average due to low input and their impact is not significant. The effectiveness is below average due to low input and their impact is not significant" suggests that a particular entity or process is underperforming, receiving limited resources and engagement, and having a minimal influence on the overall outcome (Informant XXXX).

It is revealed from assessing the progress made in key infrastructure projects, including construction timelines, quality standards, and cost management evaluate whether legislative

oversight contributed to the timely completion and effective delivery of infrastructure projects.

Policy Outcomes: Evaluate the impact of legislative oversight on shaping infrastructure policies, regulations, and standards. Assess whether legislative actions resulted in improved planning. Sustainability, resilience, and innovation in infrastructure development. Further, responses show they are not effective because the oversight is not fully published, others agreed to some extent but more are expected to be rated successful

Responses from members of the aviation indicate ineffective and function is not effective in discharging its oversight functions over the Executive arm of government because the oversight is not fully published and not entirely correct in approach. Adding that the quality of data generated on the field and the spread have issues. There is corruption and due process is not always followed.

Nigeria Society of Engineers (FCDA) Federal Capital Development Authority's response shows poor and no visible development to show. Emphasizing the fact that no one is checking on these government agencies from the central as a result of this there is no accountability. For effective and efficient utilization of public resources and checks and balances, Nass needs to be more objective during their oversight engagement. There is a compromise of NASS during oversight activities.

The problem often lies in the lack of sufficient time due to the few opportunities available for engagement.

MDAs don't open up their records for oversight. The Ministries, Departments, and Agencies (MDAs) have exhibited a pattern of disregarding the committee's resolutions, which could undermine the effectiveness of governance processes. Although no record of an oversight project.

4.3 Discussion of Findings

This section of the chapter discusses the findings from the data collected from the respondents.

Legislative oversight significantly influences infrastructural development in Nigeria, but its impact is often hindered by various challenges. The oversight function of the legislature is crucial for ensuring accountability and transparency in the use of public funds, which is essential for effective infrastructure development. Legislative oversight is a critical tool for advancing governance objectives and ensuring executive accountability. It involves monitoring and evaluating the activities of Ministries, Departments, and Agencies (MDAs) to ensure they are functioning efficiently and effectively.

Moreover, effective oversight can lead to better governance and improved infrastructure development by ensuring that funds allocated for infrastructure projects are utilized properly and that projects are completed on time. This finding is in connection with the study conducted by Fashagba (2012).

In Nigeria, the capacity of the legislature to perform its oversight functions is often weak due to factors such as insufficient cooperation from MDAs, inadequate resources, corruption, and the personal interests of legislators. The legislature's dependence on the executive for funding can also limit its effectiveness in overseeing infrastructure projects. This is similar to the previous research undertaken by (Onuoha, 2013).

Participants of the interview indicated that legislative committees play a crucial role in the oversight process, enhancing the efficiency of their parent bodies. However, these committees often operate under constraints that hinder their performance. This corroborates the earlier study by Williams, (2012).

Informants from the various committees interviewed pointed out that several committees are involved in oversight activities that have impacted executive accountability in these sectors. However, challenges such as the inaccessibility of legislators and financial constraints have limited the effectiveness of these oversight activities. While emphasizing that legislative oversight is a vital tool for ensuring accountability and promoting infrastructural development in Nigeria, its effectiveness is often hindered by various challenges. To improve the oversight process, it is essential to address these challenges through adequate resource allocation, capacity development, and the adoption of effective oversight mechanisms.

Examination of the findings also identifies the challenges impeding the performance of legislative oversight over infrastructure development. The finding of the study revealed that Lack of Capacity and Resources and Weak Legislative Culture and Political Interference. This is in consonant with the previous study by Annan, (2005) that the legislative institutions lack the necessary capacity, resources, and technical expertise to effectively oversee complex infrastructure projects. This limits their ability to properly scrutinize project plans, monitor implementation, and hold the executive accountable.

This is similar with previous study conducted Langdon, (2012) attested legislative oversight function is still relatively new in Nigeria's democratic governance, and the political culture is often characterized by a lack of independence, personal ambitions, and interference from the executive branch. This undermines the legislature's willingness and ability to exercise robust oversight.

Equally, Corruption Vested Interests, and Weak Coordination and Collaboration were study findings. This is in consonant with the earlier research by Aguda (2012) which stated that the legal provisions for legislative oversight, the existing frameworks may not be sufficiently robust or clear in delineating the legislature's oversight powers and

mechanisms. This creates ambiguity and limits the effectiveness of oversight. Accordingly, Oyewo, (2007) affirmed that legislators often face challenges in accessing relevant information and data from the executive branch, which hinders their ability to effectively monitor infrastructure projects and hold the government accountable.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

This chapter is basically on summary of the study, conclusion and possible recommendations aimed at improving legislative oversight towards enhancing infrastructural development in Nigeria.

5.1 Summary of Findings

Basically, the study observed that the oversight function of the legislature regarding infrastructural development have been inefficient and ineffective as informants indicated that the nation's apex legislative assembly has not been ineffective and efficient in the discharge of its oversight functions especially as it relates to infrastructural development.

The study noted strongly that while legislative oversight can occur through various channels beyond committees, it stated that oversight activities occur through plenary Sessions, where all members of the assembly participate in discussions, such as floor debates, hearings, reports, constituent interactions, and decision-making processes regarding oversight matters as committees remain a critical component of the oversight process.

The respondents blamed the inefficiency and ineffectiveness of the National Assembly oversight mandate on corruption and personal interests of the lawmakers who strive to enrich themselves at the expense of effectively overseeing the executive. Feedback from majority of the respondents indicated that corruption have been the most challenging factor affecting the legislative oversight function. The study showed that another important challenge faced by the National Assembly in performing its oversight function is mismanagement or diversion of funds. In this regard, most of the respondents lamented the negative impact of this challenge which according to them has slowed the progression of infrastructural development in the country. It was also found that limited budget allocations

and inefficient utilization of resources have restricted the scale and pace of infrastructure development.

Effective legislative oversight in Nigeria requires the active involvement of non-state actors and agencies, strengthening of the committee system in the legislature, proper funding, and orientation about parliamentary procedures for legislators.

5.2 Conclusion

Legislative oversight is a fundamental mechanism through which the National Assembly ensures accountability and transparency in government operations. This oversight function is essential not only for monitoring the execution of policies but also for assessing the allocation and utilization of resources directed toward infrastructural projects. The 9th National Assembly has faced numerous challenges that affect their performance in the conduct of the legislative activities including corruption, inefficiencies, and a lack of effective communication between the executive and legislative branches, which have hindered optimal infrastructural development in Abuja. The 9th National Assembly of Nigeria, through its legislative oversight functions, has played a pivotal role in shaping infrastructural development in the Federal Capital Territory (FCT), Abuja.

The findings indicated that the engagement of legislators in oversight activities has led to improved project implementation and monitoring, thereby enhancing the quality and sustainability of infrastructural developments. However, the study also highlights several challenges that hinder the effectiveness of these oversight functions, including bureaucratic inertia, inadequate funding, and the need for stronger collaboration between the legislature and executive arms of government.

Despite these challenges, the National Assembly's oversight efforts have led to some positive outcomes. For instance, increased scrutiny of budget allocations and project implementations has prompted greater accountability among government agencies.

Additionally, the involvement of civil society organizations has enhanced public participation in the oversight process, providing a platform for citizens to voice their concerns regarding infrastructural deficits. Ultimately, while the 9th National Assembly has made strides in legislative oversight, continuous improvements are necessary to fully realize its potential in driving infrastructural development, thereby meeting the needs of the Nigerian populace and fostering national growth.

5.3 Recommendations

Based on the empirical findings of this study, the following punchy recommendations are put forward;

- i. that adequate resources be provided for oversight activities to ensure optimal effectiveness and;
- ii. that the poor working relationship observed between the executive and the legislature be improved to avoid unnecessary bureaucratic bottlenecks in their relationship.

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APPENDIX

STRUCTURED INTERVIEW QUESTIONNAIRE

Dear Sir/Madam,

REQUEST FOR YOUR ASSISTANCE TO RESPONDS TO QUESTIONS IN REGARDS TO MY PROJECT

My name is **Sinime-Paulker Ruth Tesin**, a student of the National Institute for Democratic and Legislative Studies carrying out research Title: *Effectiveness of Legislative Oversight in Facilitating Infrastructural Development in Nigeria*, I will be most grateful for your assistance to help me in giving a good response to the questions Please be assured that all information provided will be strictly used for academic purpose, and treated with strict confidentiality.

Thanks for your response

Sinime -Paulker Ruth Tesin
Researcher

SECTION A - DEMOGRAPHIC DATA

INSTUTUTION: Please fill in the blank spaces

Name of Institution/Ministry: _____

1. Sex: Male (), Female ()

Interview Questions for NASS

S/N	Extent to which Oversight Functions Influence Infrastructure Development	RESPONSE CATEGORIES
1	In your opinion, is the National Assembly succeeding in effectively discharging its oversight functions over the Executive arm of government?	
2	To what extent has the National Assembly oversight activities contributed to infrastructural development in Nigeria?	
3	Despite the oversight functional activities of the National Assembly, there are still challenges in the delivery of quality infrastructures in Nigeria, why do you think this is the case?	
4	To what extent do you think Committee members on oversight functions are interested in infrastructural development?	
5	What will be your assessment of the performance of legislatives oversight on infrastructures from 2019-2023?	
6	Is it true that bulk of the legislative oversight works is not done at committee level?	

Interview Questions for MDA'S

S/N	Extent to which Oversight Functions Influence Infrastructure Development	RESPONSE CATEGORIES
1	In your opinion, is the National Assembly succeeding effectively discharging its oversight functions over the Executive arm of government?	
2	Despite the oversight functional activities of the National Assembly, there are still challenges in the delivery of quality infrastructures in Nigeria, why do you think this is the case?	
3	How do you know the oversight activities of National Assembly in respect to the infrastructural project of your MDA?	
4	What are the challenges your MDA face in the National Assembly on oversight activities?	
5	How will you rate the effectiveness of Nass oversight activities?	
6	Why do you think despite the oversight functions of National Assembly, there is still sufficient infrastructural deficient in Nigeria?	

Interview Questions for CSO's (CISLAC and NSE)

S/N	Extent to which Oversight Functions Influence Infrastructure Development	RESPONSE CATEGORIES
1	How will you generally rate the National Assembly on performance of oversight as an institution of government? And why?	
2	Do you think the National Assembly oversight is independent of the Executive in relation to infrastructural development?	
3	In your opinion, is the National Assembly succeeding effectively discharging its oversight functions over the Executive arm of government?	
4	To what extent has the National Assembly oversight activities contributed to infrastructural development in Nigeria?	
5	Despite the oversight functional activities of the National Assembly, there are still challenges in the delivery of quality infrastructures in Nigeria, why do you think this is the case?	
6	What are the challenges the National Assembly faced in the oversight of the activities of your organization	