

The Nigerian Legislature and the fight against Corruption: Focus on the 8th National Assembly

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Abstract: This study examined the role of Nigeria's eight National Assembly (2015-2018) in the war against corruption. This was premised on the fact that though the President Muhammadu led administration made the fight against corruption one of its cardinal objectives, the legislative arm of government saddled with the task of providing the enabling legal/legislative framework for the fight to succeed, was embroiled in controversies that painted it as abetting the very act of corruption or deliberately working to frustrate the efforts of the executive arm in the fight against it. With prebendalism as its theoretical base, the study utilized the qualitative approach in analyzing the integrating variables at the end of which it was concluded that the 8th National Assembly, by design or by default, acted in a way that tended to undermine the anticorruption crusade, thereby aiding indirectly, the flourishing of corruption with its attendant deleterious effects on the economic development of the country. The study therefore recommended, among others, that the Nigerian legislature should expedite action on passing the Special Crimes Courts Bill and other anti-corruption related bills, in order to facilitate the establishment of Special Crimes Court for speedy trials of offences including economic and financial crimes, money laundering, corruption offences and other related matters.

Keywords: Corruption, Anti-Corruption, Legislature, Prebendalism, Development.

Introduction

That Corruption has attained the level of a pandemic in Nigeria has been a matter of concern to many a patriotic citizen but not the insatiable greed of perpetrators who throng every rung of the public administrative arena. Besides elevation to a place of culture, corruption has been the single most pernicious impediment to the possibility of an enduring political, socio-economic and technological development of Nigeria, governments and successive regimes paying lip service to its reduction.

Just as many studies have demonstrated the proportionality between good governance and the economic growth of a country, the significance of the legislature in the democratic posture of any regime as well as its being factorial in the good governance ambience of a given regime are not in doubt. During the dark days of incessant

military takeovers in Nigeria, the legislature as a democratic institution was always the first hit and though successive military regimes could not do without the services of the judiciary as an arm of government, they usually arrogated to themselves (the junta) powers and responsibilities of the legislative arm. Therefore the legislature being the most representative arm of government remains a novel democratic institution in any democratic experiment whether in Nigeria or the world over. Apart from fulfilling the representative aspirations of the people, the legislature is usually touted as the watchdog of the society, expectedly over-sighting the operations of all the other arms of government, especially those of the executive arm in the performance of their responsibilities.

Embedded also in the watchdog posture of the legislature is the notion that any infractions in the normal processes of governance or deviations from the norms of ethical conduct would be detected, exposed and remedied by the legislature in such a way as to justify the collective interest and welfare of the electorate. This is an ideal expectation from any normal democratic process. But where it happens that these expectations are undermined to the extent that the watchdog, like the keeper of the save, becomes the plunderer of the save (either acts of omission or commission), then the responsibilities of the legislature would have been discharged as an aberration rather than the normal norm of conduct. This narrative depicts variants of the views of some citizens on the role of the legislature, in particular the Nigerian 8th National Assembly in the fight against corruption where, instead of a watchdog against the corrupt practices and theft of public funds, some actions or inactions of members of the legislature tended to have given them away as perpetrators and or abettors or the acts of corruption, which is no doubt a crime against the country.

While it is acknowledged that the role of the legislature is important in curbing corruption, there has not been much attempt to examine how the 8th National Assembly in Nigeria fared in the performance of this responsibility. This article therefore directs attention to the unique role of this important organ of government in the emerging democratic experiment, to examine those specific legislative mechanisms and actions taken by the Nigerian 8th Assembly to tackle corruption as well as evaluate the extent to which its leadership cooperated with the executive arm of government in the fight against corruption in Nigeria.

Theoretical Framework: Prebendalism

Prebendalism was propounded by Richard Joseph while serving as director of programmes of African studies at North Western University, US. The theory was espoused to describe patron client or neo-patrimonialism in Nigeria. According to him, prebendalism refers to the practice of utilizing official positions by public office holders for selfish personal gains (Oluchukwu, 2010). It was Richard Joseph's argument that the Nigeria's political culture was strongly influenced by the fact that holding public office provided officials with access to resources and that the theft of such resources went largely unpunished. Joseph called this system "prebendalism," likening it to European feudal practices. Fundamentally, Joseph (1987) conceptualized prebendalism as the pattern of political behaviour which reflects, as its justifying principle, that the offices of the state may be competed for and then utilized for the personal benefit of the office holders as well as those of their reference or support groups. He noted that in Nigeria, state political offices are primarily regarded as prebends that can be appropriated by the office holders to generate material benefits for themselves and for other ethnic, cultural or community groups. As is obtains in Nigeria, prebendalism can be perceived from two major perspectives: one, as a situation where political offices are regarded as prebends that can be appropriated by their holders and actually used as such to generate material benefit for themselves; and two, as a form of political clientele in which people ascend to political offices through the active support of power brokers (political God Fathers), ethnic or kin groups who must be rewarded in sundry ways including using the trappings of such offices. From these two perspectives, prebendalism could be taken to mean the use of political offices for direct selfish personal gains or to indirectly benefit political masters, cultural groups or other kin groups.

Linus (2006), Mala (2010) and Ugwuani and Nwokedi (2015) all agree that prebendalism has become the dominant and defining characteristics of the Nigerian State and her politics; that indeed, the political and social behaviours that have continued to dominate Nigerian polity and politics since independence is the prebendal tendencies among the politicians; that Nigerians, basically treat political offices as prebends and so seek or compete for them for prebendal purposes; that in reality, most Nigerians that seek to hold political office are not motivated by true patriotism to serve the nation but are driven by greed and pathological urge to loot in order to

enhance their parochial selfish interests. Ogundiya (2010) corroborates this in asserting that Nigeria's brand of politicking is essentially a prebendal enterprise engaged in, largely, for the crude appropriation of national resources. In fact, Nigerians believe strongly that their political offices entitles them to unlimited and unbridled access to the resources of the state with which they can plunder not only to satisfy their material desires but also to service the needs or wants of their kin groups. Nigerians being so minded and characterized could, therefore, be said to be transforming government and governance into a prebendacy.

When adapted to this thesis, prebendalism helps to explain how members of the 8th National Assembly, instead of joining forces with the federal government on the fight against corruption, would rather act as a cog in the wheel of the anti corruption crusade, refusing to do the needful simply because most of them are entrenched in corruption and since the prevailing corrupt atmosphere favours them in terms of appropriation of state resources to themselves, they would not want to make laws and support measures that would check, punish or deprive them from further capacity to plunder the commonwealth of the people.

Conceptual Clarifications

Corruption

The concept of corruption means different things to different people depending on individual's cultural background, discipline and political leaning (Gyimah, 2002). In its literary sense, the term 'corruption' comes from a special form of the Latin verb *rumpere* which means 'to break', implying that something is badly broken (Tanzi, 1994). This something might be a moral or ethical code or, more often, an administrative rule of a law. The person who breaks it derives some recognizable benefits for him/herself, family, tribe, party, or some other relevant group. Following from this, corruption is seen, first and foremost, as the utilization of official positions or titles for personal or private gain, either on an individual or collective basis, at the expense of the good of the public, in violation of established rules and ethical considerations, and through the direct or indirect participation of one or more public officials whether they be politicians or bureaucrats.

Although corruption occurs at both private and public levels, this article is concerned with that which occurs at the public domain. Thus corruption could be seen as an act in which the power of the public office is used for personal gain in a manner that contravenes the rules of the game (Jain, 2001). Mulinge and Lesetedi (2002) conceptualize it as an anti-social behavior by an individual or social group which confers unjust or fraudulent benefits on its perpetrators, is inconsistent with the established legal norms and prevailing moral ethos of the land and is likely to subvert or diminish the capacity of the legitimate authorities to provide fully for the material and spiritual well-being of the society in a just and equitable manner. From this perspective, corruption is seen as outright theft or the embezzlement of public funds or other misappropriation of state property, nepotism and the granting of favour to personal acquaintances and the abuse of the public authority to exact gain and privileges (Desta, 2006). The general public is seen as the principal victim and the public officials as the agents.

According to Nye (1967), corruption is a deviation from the formal duties of a public role because of pecuniary exercise of certain types of private influence. This includes such behavior as bribery, nepotism and misappropriation. In the same vein, Huntington (1968) characterizes corruption as behavior of public officials which deviates from accepted norms, in order to serve private ends. Still along this line of reasoning is the view of the Bretton Woods Institution which sees corruption as the abuse of public office, while the World Bank defines it as the abuse of public office through the instrumentality of private agents who actively offer bribes to circumvent public policies and processes for competitive advantages and profit (cited in Akanbi, 2002). It means that beyond bribery, public office can also be abused for benefit through patronage and nepotism in the form of theft of state assets or diversion of revenue (Bello-Iman, 2005). A different angle from the aforementioned is the position of Otite (1986) who posits that corruption is the perversion of integrity or state of affairs through bribery, favour or moral depravity. This conception is different and broader, because it looks at the moral aspect as well as the distortion of procedures.

The corruption watchdog, Transparency International defines corruption as behaviour on the part of officials in the public sector, whether politicians or civil servants, in which they improperly and unlawfully enrich themselves or those close to them, by the misuse of public power entrusted to them (cited in Pope, 1996). The definition by Transparency International focuses more on the public sector as is the concern of this article, nevertheless the

Corrupt Practices and Other Related Offences Act 2000 stretches the definition to include bribery, fraud and other related offences like gratification. The Act gives a very wide definition of gratification to mean among others, the offer or promise or receipt or demand of money, donation, gift, loan, reward, valuable security, property or interest in property with the intent to influence such a person in the performance or non-performance of his/her duties (ICPC, 2000). Therefore, corruption entails abuse of trust and enrichment of oneself at the detriment of others.

Corruption has remained one of the most complex problems that impede development in Nigeria and like a deadly virus, it attacks vital structures that should promote societal progress (Ribadu (2006). It is believed that corruption is the main reason 54.4 percent of Nigerians remain poor despite the enormous income from oil in the last four decades (NBS, 2008). Many sources have reported that the percentage of the population living below or at purchasing power parity of \$1.25 a day is 64.4 percent (UNDP African Human Development Report, 2012). Therefore, preventing abuse and reducing corruption is important to increase social and economic well-being of the society

The Legislature/Parliament

Taken from the context of delineation of governmental duties and responsibilities, the legislature or parliament is that institution that is dedicated to harbour the processes of making and changing the laws that govern a particular society, the other functions of policy making/implementation and those of rule adjudication consigned to the executive and judicial branches of government respectively. Bauman and Kahana (2006) thus refer to the legislature as a body that is created explicitly for the purpose of lawmaking. Though acknowledging that the legislature has other functions, they (Bauman and Kahana) emphasize that lawmaking is the legislature's official *raison d'être*, and that when we evaluate the structures, procedures, and membership of legislatures, we do so with this function very much in mind. In the same vein, Garner (1999) defines legislature as the branch of government responsible for making statutory laws.

In an attempt to define the legislature to reflect its democratically constitutive norm, Loewe berg (1995) contextualizes legislatures as assemblies of elected representatives from geographically defined constituencies, with law making functions in the governmental process. By such characterization, the legislature transcends mere administrative institutional frameworks but adorns more of a political character comprising of members who Bogdanor, (ed) (199) describes as being "formally equal to one another, whose authority derives from a claim that the members are representatives of the political community, and whose decisions are collectively made according to complex procedures.

In the context of this article, the legislature is used interchangeably with the National Assembly which, in Nigeria is the highest law-making body. It is made up of an Upper House known as the Senate and a Lower House known as the House of Representatives (Ebenezer, 2011). This is as crafted in the 1999 Constitution of the Country whose fourth chapter is dedicated to matters regarding the Legislature being one of the most significant arms of Government. Section 47 of the Constitution provides that: "there shall be a National Assembly for the Federation which shall consist of a Senate and a House of Representatives"

Aside law-making, the other functions of a typical legislature, according to Ball (1980) include:

- i. **Power to Veto:** Apart from the power to veto the President and pass a particular bill which the President has refused assent, the legislature can veto certain political appointments of the President and this is power conferred by the constitution. Certain key appointments by the President: Supreme Court judges, Ministers, Chairmen and members of Boards/Parastatals and Commissions etc. must be screened by the federal legislature (the National Assembly). Ditto state and local government legislative arms. In extreme cases, the legislature has the powers to impeach the President where there are proven cases of gross misconduct or abuse of office. This power is conferred by Section 143 of the 1999 constitution of the federal Republic of Nigeria. Example of the use of this power were – (a) when the National Assembly in 2002, thirty days after it had passed the onshore-offshore Bill, overwhelmingly gave an overriding veto to President Olusegun Obasanjo's refusal of assent to the Bill thereby passing it into law.
- ii. **Financial Control:** Sections 80 through 89 of the constitution of the Federation provide a whole gamut of devices through which the legislature controls the financial powers of the executive arm of

government. The President, for instance is compelled by law, to cause to be prepaid and laid before the national Assembly at any time in each financial year, estimates of the revenues and expenditure of the Federation for the next following financial year. This is the process through which yearly budgets are made and implemented for the country. The legislature not only approves budgets, but also ensures that monies spent or drawn from the consolidated revenue fund are in strict compliance with, and not exceeding the amount authorized to be so withdrawn. The National Assembly can make laws to cover areas not hitherto provided for in the budget of the year if there arise a need for such, through what is termed 'contingencies fund'. Remuneration, salaries and allowances payable to holders of most public offices starting from the President to judicial officers, are determined by the national assembly. Also, all public accounts of the Federation and of all offices and courts must be audited and submitted to the National Assembly.

- iii. **Investigative Functions:** Section 88 confers on the National Assembly the powers to conduct investigation into any matter or thing with respect to which it has power to make laws; and conduct of affairs of any person, authority, ministry or government department charged, or intended to be charged with the duty of or responsibility for – (a) executing or administering laws enacted by the National Assembly, and (b) disbursing or administering moneys appropriated by the National Assembly. Also its investigative powers give the National Assembly the impetus to 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. And for the purpose of carrying out such oversight functions, the legislature has the mandate to - (a) procure all such evidence, written or oral, direct or circumstantial as it may think necessary or desirable, and examine all persons as witnesses whose evidence may be material or relevant to the subject matter, (b) require such evidence to be given on oath; (c) summon any person in Nigeria to give evidence at any place or produce any document or other thing in his possession or under his control, and examine him as a witness and require him to produce any document or other thing under his control, subject to all just exceptions; and issue a warrant to compel the attendance of any person who, after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure...to the satisfaction of the House or the Committee in question, and order him to pay all costs which may have been occasioned in compelling his attendance or by reason of his failure to obey the summons, and also to impose such fine as may be prescribed for any such failure; and any fine so imposed shall be recoverable in same manner as a fine imposed by a court of law. At a glance, this is indeed, the function originally assigned to the Judiciary, but conferred on the Legislature as an oversight function.
- iv. **Representative Functions:** The legislature has variously been described as having expressive, teaching and informing functions that are relevant to the representative aspects of modern assemblies. Legislators, in most modern states share basic similarities in providing some form of link between government and the governed. They constitute one of the means through which demands are channeled from below and providing information and explanation from above. Therefore all of the functions of the legislature enumerated above are in terms of the roles assemblies play in the legitimization and authorization of government policy, the resolution of conflicts between groups represented, and the need to speak to a wider audience than that of the assembly. These are important functions in the working of the whole political system and towards the stability of the system.

The proper functioning of any democratic regime is therefore likely proportional to the functional activities of the legislature as a significance arm of government in the delivery of good governance derivatives. However, the peculiarities of the legislature so enumerated depict an ideal picture as was captured by Edmund Burke during his famous speech to the electors of Bristol in 1774 where he captured the Parliament as a deliberative assembly of one nation, with one interest, that of the whole – where not local purposes, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole' (Pitkin 1969:175–6). Unfortunately, the intrigues of politics, greed and the self interest of men have variously impugned on the altruistic elements of public administrative processes, the legislatures, not spared their oddities. A proper reflection of this is captured by Jeremy Waldron who once decried that:

The work of legislatures has a bad reputation for being rife with “deal-making, horse-trading, log-rolling, interest-pandering, and pork-barrelling” The rumbustious process of enacting or defeating statutes, issuing regulations, holding committee inquiries, engaging in debates over government policy and making appointments has traditionally not earned the same respect as the development of common law (cited in Bauman and Kahana, 2006).

It is therefore on this note that the role of the Nigerian national assembly is evaluated as it relates to the fight against corruption under the democratic regime of President Mohammadu Buhari.

The Role of the Nigerian Legislature in the fight against Corruption

There is a consensus of opinion among commentators and watchdog organizations like the IMF and World Bank that national representative assemblies stand in good stead to curb corruption in a given country. This means that though a cooperative conglomeration of structures, actors, institutions and organs comprising the executive, the judiciary and other agencies of government is needed if adequate progress is to be made in the fight against corruption, the role of the legislature appears most significant and all encompassing.

In Nigeria for instance, the foundation for the fight against corruption is initiated in the process of lawmaking. In addition to empowering the legislature to make laws for the peace, order and good governance of the country, Section 4 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), envisions the legislature enacting anti-corruption laws that criminalize corruption and appropriate punishment for offenders. Thus the responsibility of fashioning the legal framework for the fight against corruption and corrupt practices is vested in the legislature. And it was in the exercise of this mandate that the National Assembly, in the past, enacted Acts for the establishment of the Code of Conduct Bureau and Code of Conduct Tribunal, the Economic and Financial Crimes Commission (Establishment) Act 2002 and the Independent Corrupt Practices and Other Related Offences Commission Act 2000 for the purpose of investigating and prosecuting public officers and other persons suspected of involvement in corrupt practices. In these legislations, the commissions are given extensive powers to investigate and prosecute cases of corrupt practices and abuse of office that may arise (Tambuwal, 2013). With respect to the specific objective of injecting transparency and accountability in the management of the resources of the nation, the national assembly enacted the Fiscal Responsibility Act 2007 and the Public Procurement Act 2007. Both legislations make copious provisions aimed at engendering transparency and accountability in the public space. According to Tambuwal (2013), if these legislations and indeed others were diligently enforced, significant milestone would have been accomplished in the fight against corruption and corrupt practices in Nigeria. Sadly however the provisions these legislations are observed more in the breach by the majority including the national assembly members, government officials and government agencies.

Though a number of milestones have been registered by the Nigerian legislature in the fight against corruption during Nigeria’s fourth republic, the legislative arm has also been embroiled in a number of controversies that tainted its image as a veritable ally in the fight against corruption over time, even before the inception of the 8th National Assembly. As observed by Akanbi (former Chairman of Independent Corrupt Practices and Other Related Offences Commission, ICPC), the legislature that was expected to facilitate accountability through scrutiny of the administration was more concerned with the material and financial benefits it could amass using its office and power. Indeed, several committees of the central legislature were at various times indicted over allegation bordering on shady financial deals. There were the cases of falsification of age and academic records by Salisu Buhari the former speaker of the House of Representatives and contract scandal of Evans Enwerem, the former Senate President, both which led to their impeachment. The image problem of the national assembly was so bad that between 1999 and 2000, the Senate leadership changed hands thrice from Evan Enwerem to Chuba Okadigbo and Pius Anyim because of corruption. The story was not different at the lower House as several of its speakers were removed on charges of corruption, Salisu Buhari, Patricia Etteh and Dimeji Bankole (Association of Law Teachers, 2013).

Former President Olusegun Obasanjo has been more direct in criticizing members of the national assembly, once labeling them as “a gathering of looters and thieves”. Obasanjo believes that apart from shrouding their remunerations in opaqueness, national assembly members indulge in extorting money from departments, contractors and ministries during visits to their projects and programmes and in the process of budget approval when they build up budgets for ministries and departments, who agree to give it back to them in contracts that

they do not execute and that they do similar things during their inquiries. To that extent, Obasanjo does not believe that the legislature has ever been supportive of the fight against corruption since according him, ‘when the guard is the thief, only God can keep the house safe and secure’ (Sotubo, 2014). This perception was actually expressed against the disposition of the legislature before the inception of the 8th national assembly. And as regards the corrupt disposition of the 8th assembly, one may not fathom much of a difference between them and their predecessors, especially as most of them were recurrent members of the national legislature. As noted by Obasanjo:

The national assembly cabal of today is worse than any cabal that anybody may find anywhere in our national governance system at any time. Members of the national assembly pay themselves allowances for staff and offices they do not have or maintain. Once you are a member, you are co-opted and your mouth is stuffed with rottenness and corruption that you cannot opt out as you go home with not less than N15 million a month for a senator and N10 million a month for a member of the house of representatives. The national assembly is a den of corruption by a gang of unarmed robbers (The Cable, 2016).

The former Senate President and Chairman of the 8th National Assembly, Dr. Abubakar Bukola Saraki however believed that the legislature (during his time) was supportive of the anti-corruption fight of the Buhari led administration. He cited an instance where Nigerians had applauded the 8th National Assembly in the detection of inconsistencies in the 2016 budget during which a lot of issues based on the padding of the budget, over-bloated overheads and over-bloated personnel cost were exposed, insisting that some of the discrepancies in the budget included huge differences in the prices quoted for the same items by different MDAs (Olawale, 2017). But this assertion may fall flat on the face of public assessment, when considering the furor generated as events surrounding the inglorious budget padding saga in the national assembly unfolded. Abdulmumin Jibrin, former chairman of the House of Representatives committee on appropriation had petitioned the anti-graft agencies accusing the leadership of the 8th assembly of padding the 2016 budget and calling for the probe of principal officers. It was sad that instead of members of the 8th national assembly taking steps to transparently open itself up for investigation and public scrutiny, they ganged up against the whistleblower (Jibrin) and suspended him from office for 180 days (The Cable, 2016).

Still in attempts to launder the image of the national assembly, the former senate President observed that the legislature under his watch, having noticed that the implementation of the Treasury Single Account (a measure that was designed to promote transparency and block leakages in the public sector to free up funds for infrastructural development amidst dwindling oil prices) was mismanaged and abused, conducted an investigation on the management of the Treasury Single Account (TSA), as a result of which about N7 billion was saved the nation (Olawale, 2017). He also noted that over the years, none of the previous leaderships of the National Assembly had been able to accede to the yearnings of the people in breaking down the National Assembly budget, and that the 8th National Assembly had worked assiduously to bring this information to Nigerians, as the National Assembly released a report to the public that gave a breakdown of the federal legislative branch’s budget (Olawale, 2017). Pundits however believe that the decision of the national assembly to open its budget to public scrutiny was only as a result to intense pressure from the public and not an altruistic gesture.

Apparently due of the doubts among Nigerian on the sincerity of the National Assembly in fighting corruption in the country, civil society groups had petitioned the Senate to be more accountable to the people and to play a greater role in the fight against corruption. They queried, among others, the non-opening-up of the National Assembly budget to public scrutiny and the maintenance of an bloated budget. The group argued that considering the prevailing economic situation in the country, the senate needed to do an immediate review of its budget and spending, streamlining it in consonance with not only the realities of the country but the everyday living conditions of majority of Nigerians.

For not showing enough commitment to transparency and accountability through asset declaration, the group challenged the leadership of National Assembly to show commitment to transparency and accountability by publicly declaring their assets. They demanded urgent status declaration of pensions and gratuities received by former Governors and Deputy Governors in the red chamber who received multiple housing and transportation allowances both as former state executives and serving Senators. It was also noted that there were allegations of corruption against the Senate leadership, citing the case where Citizens Action to Take Back Nigeria

(CATBAN) organization accused the senate president, the deputy, as well the Speaker of the House of Representatives and his deputy, of using the Federal Capital Development Authority (FCDA) to perpetrate financial fraud totaling over six hundred and thirty million Naira. For the sake of probity and the integrity of the Senate, the civil society group urged an independent inquiry into the allegations; as such unattended accusations had the unsavory effect of undermining the public standing of this important organ of government (Sahara Reporters, 2017).

Corruption in the National Assembly also includes what is termed “constituency projects” or zonal intervention projects as the case may be. These projects are usually spread over the budget and embarked upon by members of the national assembly who themselves are often both initiators and contractors, either directly or by proxy and money fully drawn but with the project only partially executed or not executed at all. It is believed that these projects **have**, in the last decade gulped some N100 billion but for very little to sure for (Sotubo, 2014; Mutum and Krishi, 2019).

In an effort to track the controversial constituency projects, the chairman of the Independent Corrupt Practices and Other Related Offences Commission, IPPC, Bolaji Owasannoye, observed that information on the level of implementation of constituency projects on 16 states showed that in 2016, out of 436 such projects tracked, 145 were completed, 77 on-going and 211 not executed. In the same 2016, out of the 852 projects tracked in another 20 states, only 350 were completed, 118 on-going and 41 locations were not specified in the budget, while 343 were not done. This amounted to only 40% of the projects spread across 20 states being executed in 2016. In the 2017 outlook, out of the 1, 228 constituency projects tracked, 478 were complete, 173 were in unspecified locations, 200 were on-going, 13 abandoned, while 364 were not started at all (Mutum and Krishi, 2019). This means that on the average, (between 2016 and 2018) only about 37.8% of the tracked 2, 516 constituency projects spread across the country were actually executed while 46 % were either not executed or unspecified (non existing) and only about 16% were at various levels of execution. That is not to say that monies for these projects or a better chunk of it, had not been released. It is either the monies meant for such projects are directly diverted to personal use or executed projects are sited and personally utilized by and for the benefit of the initiating legislator.

Such diversion scenarios were brought to the fore when sometime in 2019, ICPC recovered from the premises and farmland allegedly belonging to two senators, equipment meant for constituency projects in some local government areas of Akwa Ibom and Bauchi states. These included some hospital equipment and six tractors allegedly diverted for the personal use of these senators. Of course it is stating the very obvious that when members of the National Assembly divert constituency projects for personal use, the essence of such projects is defeated, and the integrity of the mechanism compromised (SERAP, 2019).

Obviously, many Nigerians do not believe that the 8th National Assembly had done enough in support of the anti corruption fight. For example, Adepagba, et al. (2017) insists that the lawmakers had not done enough to support the Federal Government in the fight against corruption but had tended to impede the progress of the anti-corruption war. For instance, on their very primary responsibility which is law making, many feel that the National Assembly had not made any law to complement or strengthen existing anti-graft laws in order to make them more effective, rather they seemed to have viewed the prospects of enacting the act as an intention to unseat them. An instance is where the bill for the establishment of a special criminal court for corruption cases was stalled at the National Assembly. The delay in the passage of the Special Crimes Courts Bill and other anti-corruption related bills was decried by Nigerians. A civil society group noted that whereas the objective of the Special Crimes Courts Bill was to provide for the establishment of a superior court of record to allow for speedy trials of certain offences, including economic and financial crimes, terrorism, money laundering, corruption offences and for related matters, the lack of passage of this bill and other related bills was delaying the adjudication of criminal cases.

Adepagba, et al. (2017) thus reasoned that the reluctance in passing the Special Crimes Courts Bill was not far-fetched since scores of the members of the Senate and House of Representatives were former governors or top political office holders who were either being investigated or prosecuted for one corruption case or the other. Many others had been indicted for corrupt practices. It was therefore obvious that they could do everything within their powers to ensure the bill for a special criminal court

for corruption cases and other related bills did not see the light of the day.

Ironically, the one time that the Senate showed more than a passing interest in amending certain sections of a law that relates to the fight against corruption was when it tried to pass the Code of Conduct Tribunal (CCT) Amendment Bill in 2016 under very controversial circumstances. Although the amendment of the CCT Act may not have been dismissed as an inappropriate act in itself, as it sought to strengthen the principle of separation of powers by seeking to remove the control of a defacto judicial organ from the control of the presidency, many viewed the timing and haste in the passage of the bill with suspicion. That is because it happened simultaneously with the corruption related **13-count charge-of-false-asset-declaration trial** of the Senate President at the code of conduct tribunal. Thus the problem with the amendment was that it was viewed to have been carried out for expected benefit to members of the National Assembly who were under trial especially the Senate President (Adebayo, 2016; Akuku, 2016). Among the stiff opposition to the proposed bill were twenty-eight civil society organisations in Nigeria who protested against it, alleging that the amendment was aimed at helping the Senate President, Bukola Saraki to escape justice. In the words of the organizations, “it is clear that these underhand moves in the Senate are aimed at whittling down the powers of the agencies with a view to helping the Senate President escape justice” and “amounted to abuse and misuse of power” (Okakwu, 2016).

Another fact that tended to buttress the fact that the 8th National Assembly may have harboured some sinister motives against the success of the anti corruption war of the Buhari administration was its ardent refusal to confirm Ibrahim Magu as the Chairman of the Economic and Financial Crimes Commission. This refusal, people suspected, could have been because they (the National Assembly members) knew that he (Magu) was not only effective but also was very determined to work to bring some of them (corrupt members of the national assembly) to justice.

Conclusion

The data presented and discussed above divulges a plethora of rather negative images and deeds that tend to outnumber those positive actions of 8th National Assembly that suggest synch with the anti-corruption posture of the Buhari led administration in Nigeria. With behavioural patterns and schemes that align with prebendalism, involving intermittent investigation and prosecution of some members/leadership of the National Assembly for one corruption related case or the other, the unresolved controversies/accusations against the leadership and members of the legislature on the budget padding saga, jumbo salaries and other emoluments for themselves in spite of public outcry, refusal to confirm the appointment of the acting chairman of EFCC, underhand deals in diversion and misappropriation of budgetary allocations for constituency projects, among others, it could not but be concluded that lawmakers in the 8th National Assembly didn't do much to convince an objective evaluator that their actions were in support of the fight against corruption in the country. Rather, they seemed more to have concerned with their welfare and comfort to the detriment of the health and good governance needs of the country. Therefore, this article concluded that Nigeria's 8th National Assembly did not discharge its role diligently in support of the Buhari led administration's fight against corruption.

Recommendations

The following recommendations are made in order to reposition the National Assembly as a veritable partner in the fight against corruption in Nigeria:

Government should appoint outside auditors, both normal and forensic, to audit the accounts of the National Assembly at the end of which culprits of corrupt practices should be prosecuted and brought to book;

In the same vein, a highly technical team of incorruptible investigators should set up to look into the so-called constituency projects of the past and the present members of the national legislature and bring culprits to book;

The incumbent members of the National Assembly should expedite action on passing the Special Crimes Courts Bill and other anti-corruption related bills in order to facilitate the speedy trials of offences including economic

and financial crimes, money laundering, corruption offences and other related matters;

The National Assembly should review its budget spending and streamline them in consonance with not only the present realities of the country but the everyday living conditions of majority of Nigerians; and

The Nigerian electorate should rise to its vertical accountability responsibility by voting out corrupt members of the National Assembly as well as frustrating their bid to occupy any other political office in the land.

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