THE ROLE OF THE LEGISLATURE IN POLICY MAKING PROCESS:

A STUDY OF THE KADUNA STATE HOUSE OF ASSEMBLY

(1999 – 2003)

BY

KOGI MARCUS MAIGADI

A thesis submitted to Post Graduate School, Ahmadu Bello University, Zaria, in partial fulfilment of the requirement for the award of a Degree of Masters of Public Administration (MPA)

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A CASE STUDY OF KADUNA STATE HOUSE OF ASSEMBLY (1999 – 2003).

BY

KOGI MARCUS MAIGADI

MPA/ADM/44692/2004 – 05

DECLARATION

I, Kogi Marcus Maigadi, hereby declare that this thesis written by me and that it was not copied from past research work. Also, I declare that both published and unpublished materials used in this thesis are fully acknowledged and all errors, omissions and misinterpretations in this work remain my responsibility.

_____ _____

Kogi Marcus Maigadi Date

CERTIFICATION

This thesis entitled, The Role of the Legislature in Policy Making Process, A case study of Kaduna State House of Assembly 1999 – 2003 by Kogi Marcus Maigadi, meets the regulations governing the award of Degree of Masters of Public Administration (MPA) of the Ahmadu Bello University, Zaria, and is approved for its contribution to knowledge and literacy presentation.

_____ _____

Dr. S. B. Abdulkarim Date

Chairman, Supervisory Committee

_____ _____

DR. Kola E. Obaitan Date

Member, Supervisory Committee

_____ _____

Mr. S. M. Ngu Date

Head of Department

_____ _____

Prof. S. A. Nkom Date

Dean, Post-Graduate School

DEDICATION

This thesis is dedicated to the Almighty God, for His protection over my life, my wife, Grace and children – Timothy, Nathaniel, Gidok and Benjamin, for their encouragement and support.

ACKNOWLEDGEMENT

I wish to express my profound gratitude to God Almighty for sparing my life to witness the end of this work, for without His will, collection and compilation of this piece of research work would not have been possible.

I am greatly indebted to all my Lecturers particularly, my Supervisor, Dr. Abdulkarim Suraj, who guided me , spent his time, to go through my work, made corrections, and provided useful advices. May God Almighty continue to protect and see him through in his endeavours in life.

I am also thankful to the Honourable Members and relevant supportive Staff of the Kaduna State House of Assembly, who completed and returned the administered questionnaires, with which I was able to come out with the findings in this research.

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ABSTRACT

Long Military Rule in Nigeria, has made the Legislature, an infant arm of government compared to the executive and the judiciary which were functional even under the Military regimes for about three decades since independence in 1960. The Legislature therefore, is a symbol of democracy, serves as the most salient dimension of democracy, and will be the litmus test for strength, sustainability and vitality of democratic governance in Nigeria.

The main aim of the study was to find out the level of involvement of the Legislature in policy making process. In particular, it intended to find out the level of the involvement of the Legislature in budget making process, a case study of Kaduna State House of Assembly from 1999 to 2003, considering the infancy nature of the Legislature in Nigeria and its constitutional responsibility of controlling public funds and expenditures for the general development and wellbeing of the country and citizenry. The result of the study was expected to reveal the level of involvement of the Legislature in budgetary process and recommendations to be proffered on how to improve the level of involvement of the Legislature in budgetary process in the Nigerian democratic environment.

In undertaking this study, and based on stated objectives, two hypotheses were formulated, questionnaire constructed, and data collected through administration of questionnaires to 34 Legislators and 20 relevant supportive Staff from the Departments of Legislative Matters and Budget and Planning, respectively of the House.

Results of the two hypotheses tested, proved that the level of involvement of the Legislature in budget making process in Kaduna State is generally low as discussed in chapter four of this study, due to the infancy nature of the Legislature, inexperience, inadequate facilities, knowledge and training on the part of both Legislators and relevant supportive Staff on budgetary process, during the period of study.

It was therefore, concluded that the low level of involvement of the Kaduna State House of Assembly in budgetary process within the period of study, could be a general picture of what was and is still obtainable in other Legislative Houses in Nigeria, considering the Federal status of the Nigerian State, the general infancy nature of the Legislature in Nigeria, and the fact that the country and the component states are governed by the same constitution.

Arising from the results, it was suggested that continuity of democracy in Nigeria in spite of the crises being experienced in trying to

plant it, capacity building for both the Legislators and relevant supportive Staff on budgetary process, equipping of the legislative Library with relevant books, journals and internet facilities, would go a long way in improving the level of the Legislature in budgetary process in Nigeria.

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CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

In liberal political theory, the state exists to promote the welfare of its citizens and protect their lives and property. It is only in doing these things that it earns the loyalty of its citizens, and exact compliance without recourse to force. Therefore, at a time of dwindling natural resources and unwanted population growth in the 21st Century, the responsibilities of a state or government in modern time have grown so enormous that it has to embark on conscious planning, decisions and policies for either short or long term period in order to ensure the welfare and wellbeing of its citizenry. Hence, Government has the responsibility of mobilising human and natural resources of the State and determines who gets what, how and when. This explains why government today, is saddled with the tasks of planning, policy making, budgeting and their implementations.

Public policy therefore, emanates undoubtedly from the responsibilities of the State to nurture and protect the aspirations and needs of citizens. The arms of government involved in planning, policy making and budgetary processes are the executive and legislature in the democratic setting.

This research work is concerned with policy making process in a democratic environment. Accordingly, the study entitled “Role of the Legislature in Policy Making Process” is an attempt to find out the level of involvement of the legislature in policy making process with specific reference to budgetary process, as an aspect of policy making process in Kaduna State in Nigeria – where the military has interfered in governance for about three decades since independence in 1960.

It is this political environment of weak democratic structures due to incessant intrusion of the Military in governance, where the executive for about three decades has enjoyed dominance in policy making process, that the researcher wants to find out whether the legislature in the Fourth Republic in Nigeria, exercises its constitutional powers as spelt out in the 1999 Constitution, with regards budgetary process in Kaduna State, the level of involvement of the Legislature in budgetary process, identify problems and to proffer suggestions on how to improve the performance of the Legislature in this regard.

1.2 Statement of the Problem

The principle of Separation of Powers propounded by a French Political philosopher and Jurist, Charles Montesquieu and developed by

others like John Locke and Aristotle, emphasised that the three arms of government, namely the Executive, Legislature and Judiciary, should be separated from one another in terms of composition and functions. This is to safeguard against concentration of too much power in a single authority, ensure the liberty of citizens and absence of arbitrary rule[1].

In Nigeria, the 1999 Constitution clearly demarcates the jurisdictions of the three arms of government in the exercise of their constitutional powers. For instance, sections 4, 5 and 6 of the constitution spell out the legislative, executive and judicial powers of to both federal and state governments respectively[2]. In appreciation of the principle of separation of powers, and its twin concept of checks and balances. The 1999 Constitution, in Part II – Sections 120 – 123 state that Houses of Assembly are empowered to control public funds – i.e. the legislature authorises expenditure from consolidated revenue fund. This explains why the executive must present annual and supplementary budgets for approval by the legislature[3].

The Legislature in Nigeria is the symbol of democratic rule, because the Executive and the Judiciary have been in existence even under Military rule. Unfortunately enough, in Nigeria the Legislature is at its infancy due to long Military interference in government for about three decades since

independence in 1960. Thus the Legislature in Nigeria is on a learning process and not completely autonomous from the Executive. This political environment has consequent effects on both the quality and performance of the legislature in Kaduna State.

This study, with the background above, seeks to find out the extent to which the legislature in Kaduna State exercises its constitutional powers with regards to policy making process with specific reference to budgetary process, which is important for the survival of democracy and good governance.

1.3 Objectives of the Study.

(a) To find out the level of involvement or participation of the Legislators in policy making process with specific reference to budgetary process and Kaduna State House of Assembly in Nigeria.

(b) To find out the level of involvement of supportive staff in the budgetary process.

(c) To identify factors that impinge on the involvement of the legislature in budgetary process.

(d) To proffer recommendations on how to improve effective participation of the legislature in budgetary process in the Nigerian democratic environment.

1.4 Significance of the Study

(a) The study in examining Policy Making Process in Kaduna State would identify problems associated to budget making process and would profer useful suggestions for participation of the legislature in budget making process in Kaduna State.

(b) Apart from increasing knowledge in public making process, the research would undoubtedly assist in further studies on the topic by students of Public Administration.

1.5 Scope and Limitation

The study is on the role of the Legislature in policy making process with specific reference to budgetary process, and a case study of Kaduna State House of Assembly, Nigeria between the year 1999 – 2003.

For the purpose of this research, the term policy making is limited to budgeting or budget making. In this study therefore, emphasis will be on budget making process as policy making process in a democratic

government. This is because in Nigeria like in most democratic countries, most government's policies are expressed in yearly budgets, which incorporate a number of sectoral policies to improve the welfare and wellbeing of the citizenry.

Apart from time constraint, the researcher is limited to bureaucratic bottle necks, for example, unwillingness to release informations/records by the Management of the House, Honourable Members and Staff for fear of leaking government's secrets.

1.6 Hypotheses

The following hypotheses will be used as guide for this study.

(i) The low level of involvement/participation of the Legislature in budgetary process in Kaduna State is a function of weak democratic structures inadequate experience, knowledge and training on budgetary process on the part of the Legislators.

(ii) The low quality of relevant, supportive Staff, coupled with inexperience, inadequate training and facilities are responsible for low level of involvement of the Legislature in budgetary process in Kaduna State.

1.7 Methodology

Since the objective of the study is to find out the level of involvement of the legislature in policy making process with specific reference to budgetary process in a democratic setting and to proffer suggestions on how to improve the involvement or participation of the Legislature in this regard, the researcher chose the Kaduna State House of Assembly, as a case study, covering the period 1999 to 2003.

1.7.1 Source of Data

In order to achieve the objectives of the study and to test the research hypotheses, the study would employ primary and secondary sources for data collection.

(a) Primary data would consist of information derived from

(i) Questionnaires which would be administered by the researcher.

(ii) Personal observations of the proceedings involved in the handling of budgets or appropriation bills before the Kaduna State House of Assembly. The researcher being a Staff of the Kaduna State House of Assembly since

1999 to date, and an interested member of the public, has been observing the Legislators in the budgetary process in Kaduna State during the period of study.

(b) Secondary data source would include information from text books and views of some scholars on policy making process and budgetary process, journals, magazines, 1999 constitution of the Federal Republic of Nigeria, and other government's official documents.

1.7.2 Population and Sample Sizes/Sampling Design

The study population in the study include 34 for Honourable Members/Legislators of the Kaduna State House of Assembly and 20 for supportive Staff from the core departments who attend Legislative Sittings of Honourable Members, the Committee Meetings or involved in oversight functions.

1.7.3 Administration of Questionnaires

The questionnaires would be administered directly by the researcher to the stated sample sizes of both Honourable Members and supportive Staff.

1.7.4 Method of Data Analysis

Data would be analysed using descriptive statistics, which involves calculation of percentage and frequencies, and presentation of calculated figures in tabular form.

1.8 Definition of Terms

In this study, the following terms need to be given operational definitions to serve as guide to readers and to bring them to a common understanding with the researcher.

1.8.1 Legislature:

The Legislature is a group of people who have the power to make and change laws; a democratically elected Legislature, e.g. National or State Legislature in the case of Nigeria.[4] The Legislature is made up of Honourable members elected to represent constituencies based on the 1999 Constitution of the Federal Republic of Nigeria and the Electoral Laws.

1.8.2 Kaduna State House of Assembly:

Kaduna State House of Assembly refers to the Legislature of Kaduna State. It is made up of thirty four Honourable Members, elected as representatives of the various constituencies in the State.[5] The Honourable Members perform their legislative functions with the help of supporting Staff.

1.8.3 Democracy:

Democracy is referred to as a representative government where power is vested in the people and gives opportunity for popular participation in decision making through elected representatives. Features of democracy or a democratic government, include the existence of political parties, periodic elections, free and fair elections, majority rule and protection of minority interests and general promotion of the welfare of the people in terms of provision of services and infrastructural facilities.[6]

1.8.4 Military Rule:

This is government controlled by the Military. The Military System of government is the opposite of democracy or democratic rule. Leaders come to power not through elections, but through coup de tat and counter

coups. In this system of government, leaders rule using decrees and edicts as the constitution is usually suspended, liberties and fundamental human rights of citizens curtailed and democratic structures suspended.[7]

1.8.5 Public Policy

Public policy refers to government's actions, concrete decisions, programmes and projects in response to perceived problems aimed at improving the welfare and wellbeing of the citizenry in all sectors. It is therefore, a pattern of resource commitment or authoritative allocation of values in society as to who gets what, when and how by government, in response to perceived public problem[8]. In this study therefore, public policy is synonymous to budgeting.

1.8.6 Public Policy Making Process:

Refers to a series of steps taken by government to solve problems, take decisions and allocate resources and values, and implement policies in accordance to the constitution.[9]

1.8.7 Budget

Budget refers to government's short term plan normally one year expressed in quantitative and usually monetary terms, what government

intends to do that year. It is therefore, an instrument and an aspect of policy making.[10]

1.8.8 Budget Process

Budget process refers to budget cycle, which include the set of events occurring in same sequence every year at various stages starting from review of the previous year's budget performance to Audit Report.

1.9 Plan of the Study

The research work is broken into five chapters.

Chapter One introduces the research work, highlighting the background of the study, statement of the problem, objectives and significance of the study, scope and limitation of the study, hypotheses, methodology, definition of terms, and plan of the study.

Chapter Two deals with literature review and theoretical framework. The review of related literature will explore literature in the subject area of study. While the theoretical framework provides basis upon which to base the analysis subsequently.

Chapter Three contains the historical background, functions and organisational structure of the Kaduna State House of Assembly,

procedures for debate and passage of ordinary and Appropriation Bills, summary of Appropriation Bills presented to and passed by the Kaduna State House of Assembly between the year 1999 to 2003, and problems and prospects.

Chapter Four discusses presentation and analysis of data or findings.

Chapter Five embodies summary of the work, conclusion and recommendations.

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CHAPTER TWO

2.0 LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Literature Review

As the study tries to examine the role of the legislature in policy making process with specific reference to budgeting or budgetary process in Kaduna State, the literature review is limited to the works on some prominent scholars on public policy, policy making process, budgeting and budgetary process.

2.1.1 Public policy has a recent origin as it came into existence only in the early 1950s and there is no single definition of the term. However, generally, the term public policy is sometimes referred to as a government programme of action. Existing literature in Political Science shows that there is controversy over the boundary of what should constitute public policy. Should it be posited at the level of decision making, intention or action of the government? Some view that public policy is what government chooses to do or not to do. Others see policy as what governments actually do and not what they intend to do.[1] Sharkansky sees public policy as important activities of government.[2] This definition highlights action only and does not give complete picture of what policy entails. Anderson (1975)

sees public policy as purposive course of action by government in solving perceived problem.[3] This concept of policy is concerned with what is done as against what is intended or proposed.

Thomas Dye (1972) sees public policy as what government chooses to do or not to do.[4] Here the is focus is not only on government's action but also its inaction. Thus, government may allocate resources to a particular society more than the other based on policy maker's value preferences. For example, a community may request for the establishment of a tertiary institution in their area based on their felt need, but government may decide to build a prison there instead of the tertiary institution. The definition has also failed to take into consideration the fact that there may be a gap between what governments decide to do and what they actually do.

Jenkins defines policy as a set of interrelated decisions of government based on resources at its disposal.[5]

Dike Chijioke sees public policy as government programme contained either in nation's laws or is a public statement of a compliment functionary of government.[6] This definition only recognises programmes with definite goals and objectives to be pursued.

According to Abdussalam (1987) public policy is the substance of what government does, the pattern of resources it actually commits as a

response to what it sees as public problems or challenges warranting public action for solution or attainment. Policy therefore, is the product or output of government activities and has consequences primarily outside government itself.[7]

From the views of the above scholars, public policy can be seen as a problem solving process – i.e. government's responses or decisions aimed at providing solutions to perceived public problems. It is therefore decisions, programmes and projects aimed at achieving the welfare and wellbeing of citizenry in society in various sectors. Thus, public policy can be seen as the authoritative allocation of values in society as to who gets what, when and how.

For the purpose of this study, public policy refers to programmes of action/expenditure or budget of a government, which Thomas Dye (1978) considers as "the single most important policy statement of any government"[8] since budget determines government's programmes and policies and tells who gets what, when and how.

2.1.2 Policy Making Process

Policy making process refers to series of steps taken by a government, or an organisation to solve problems, take decisions and

allocate resources, values and in the case of government, implement policies in accordance to the constitution.[9] Charles (1977) urges that policy making process can not be seen as something which has a beginning or an end, but that it is cyclical, starting from problem identification, policy formulation or preparation, authorisation or adoption, enforcement, implementation or administration and evaluation appraisal[10].

(a) Public Problem Identification – Since public policy is a response to perceived public problem, it is important that in policy making process a public problem has to be identified and defined in terms of characteristics (nature), scope or magnitude, location as well as cause and consequences (effect).

The sources of information for public problem identification vary but include;

(i) Interest groups,

(ii) Pressure groups,

(iii) Stakeholders

(iv) Records in custody of government – i.e. bureaucrats and professionals,

(v) Research institutions

(vi) Special commissions to carry out special studies needed to provide information.

The problem may be self identified or identified by others – i.e. it is possible for government to identify problems without being reminded by others, e.g. drought, ecological problems, etc.

(b) Public Policy Formulation – This is the stage government (executive) starts a decision as;

(i) What is to be done to particular identified problem and how it is to be achieved i.e. the scope of solution. The details of this concerns the identification of specific projects in design, the analysis in terms of cost benefits analysis, viability, project feasibility etc.

(ii) Preparation or drafting a bill for legislation, which when adopted by the legislature accords the policy legal force or backing - i.e. making the policy a legal instrument.

(c) Public Policy Legislation (Authorisation) – Public policy proposals prepared by the executive are submitted to the legislature for consideration and adoption. The legislative

process accords policy proposal needed legitimacy and acceptability, and facilities relatively easy implementation. During the legislative process, the draft policy is submitted to specialised committees in the legislature, which usually call for public hearing depending on the magnitude of the problem. At public hearings, interested groups, stakeholders etc are given the opportunity to give inputs for or against the draft proposal thereby shading light on the merit and demerit of the proposal. At this stage, legislators ask questions and bureaucrats explain. And at committee presentation committee members explain to the committee of the whole House. The legislative process provides opportunity for those outside government to provide more shade on the proposed bill or policy, and it facilitates implementation after adoption as opposition will be minimal and budgetary allocation to the policy will be easily passed by the legislature.

(d) Public Policy Implementation – after a draft policy has been adopted in the legislature, it is referred to the Executive for implementation/application/administration. At this stage, the

policy is translated into desired result by relevant Executive agencies – i.e. Ministries, parastatals, companies etc. This stage involves mobilisation of resources including financial technological, human and temporal (time).

(e) Policy Evaluation/Appraisal – This is the stage of comparison between intended outcomes of policy and actual achievements on the basis of experience gained during implementation (i.e. feedback). When there is so much discrepancy between expected and actual effects of policy, this calls for reformation or review of policy, based on evaluation or assessment of the situation.

The purpose of evaluation is to gather information on progress being made or already made and obstacles or difficulties encountered, such difficulties are identified and reported. Thus evaluation requires observation on the progress made and difficulties encountered and the report. The report of a Monitoring Team, serves as a feedback to the policy maker and serves as part of the basis for policy review in respect of the objectives set in the policy and the strategy of

implementation. Thus the report of a Monitoring Team should be an important constituent element in revised policy and serves as a link between past and existing policy and even future policy.[11]

2.1.1 Budget/Budgetary Process

2.1.2 Budget as an Aspect of Policy Making Process

"A budget is a plan expressed in quantitative and usually monetary terms, covering a specified period of time. Normally, the period covered is one year and this makes it short term plan"[12]. And since resources available are always not sufficient to meet the services the people, "budgeting remains the most tactical instrument for both decisions making as well as allocation resources.[13] Charles (1997) in agreement to this view sees budget as the most important expression of government's priorities[14].

The budget that affects the public, is called public budget – which addresses macro issues that reflect constitutional functions and responsibilities of governments. Public budget therefore, is a public policy document, economic and legislative or legal document of government. It involves active participation of policy makers including bureaucrats and

politicians. Government budget can be seen as serving the following purposes:

(i) representing an economic document which spells out the policies of government, economic development and welfare of the people.

(ii) representing proposed allocation of resources by the executive subject to approval of the legislature.

(iii) helps in reporting to the citizenry through the legislature how the executive spends public funds[15].

2.2.2 Budgetary Process/Budget Cycle

Budgeting or budgetary process is organized in phases involving a wide range of administrative accounting and legislative/legal activities or inputs, cutting across the different arms of government, but in particular the executive and legislative arms. This is the situation in Kaduna State.

Budgeting therefore, involves the active participation of actors made up of policy makers – bureaucrats and politicians. The different activities involved in budgeting are organized around a timeframe known as budget calendar.

The budget process is also called budget cycle which is “a complete set of events occurring in the same sequence every year and culminating in the approved budget”[16].

In a democratic government where the principle of separation of powers exists between the executive and the legislature, budget cycle is in phases or stages;

- Budget formulation
- Budget preparation
- Legal or legislative authorization
- Execution/implementation or administration
- Control/audit and review[17]

(i) **Budget Formulation –**

This is the stage which policy issues are determined and conflicts in policies resolved, preliminary decisions are made on general policy and major problem issues. Policies articulated at this stage, are often derived largely from overall national objectives, party manifestoes, development plans and overall programme of governmental action. And since budget is

essentially a short time policy instrument, the realities of the economy often dictate budget policy at the formulation stage.

Decisions taken at this stage are expected to be used in laying the basic policy framework along which the entire budget of the year would be based on. Such policy decisions are initiated by the executive arm of government.

Budget formulation is crucial because it is formulation that feeds into preparation and then preparation puts in the structures.

(ii) Budget Preparation –

Having laid down the broad guidelines and determined priorities which the budget should give attention, the budget now enters preparation stage. At this stage bureaucrats make their inputs to the broad ideas conceptualized by the executive – i.e. government's priorities and the expected levels of achievement. These are made known to the Ministries of Budget or Economic Planning. Based on this information and other data available, the Ministry of Budget issues call circular inviting Ministries, Departments and their agencies to submit

“Advanced proposals” to the Ministry in accordance with the principles and guidelines set in the call circular.

The various proposals are then exhaustively discussed at a series of budget committee meetings – normally presided over by very senior members of the Budget Ministry. Administrative hearings are held to effect reconciliation of each agency’s requests and the Budget Ministry adjusts. Thus ministries/departments and agencies orally defend to justify their proposals.

At the end of this, submission is made to the executive for consideration which should include ;

(a) review of the economy,

(b) Legislative initiatives for the budget year;

(c) expected revenues for the budget year;

(d) tentative proposals of Ministries,

(e) recommendations on the overall priorities,

(f) suggested budget ceiling[18].

This is then put together by the executive as draft budget and presented to the legislature.

(iii) Budget authorization of Budget –

Having compiled the various departmental estimates, the draft budget is referred to the legislature for authorization or legitimization in accordance to sections, 120 (2) and (3), and 121 (1) and (2) of the 1999 Constitution of the Federal Republic of Nigeria, which give the legislature, powers and control over public funds and compel the executive to present annual budgets to the legislature for consideration, resctively[19].

The process of budget legislation particularly in Presidential system of government like Nigeria, involves a lot of lobbying. The executive through legislative aids, tries to convince legislators as to the strength of his proposals and legislators themselves lobby one another to support proposed programmes and projects that are of particular benefit to their constituencies.

When the Appropriation Bill is eventually passed with any modifications, it is sent back to the executive for his approval. However, in case of prolonged deadlock in passing the Appropriation Bill, Section 122 of the 1999 Constitution of the Federal Republic of Nigeria, empowers the executive to

withdraw “moneys from the Consolidated Revenue Fund of the State for the purpose of meeting expenditure necessary to carryout the services of government for a period of not exceeding six months or until the coming into operation of the law, whichever is the earlier”[20].

When the executive finally gives assent, the Bill becomes law and the budget becomes a legal instrument authorizing the executive to incur expenditure as specified in the various vote heads of the budget.

(iv) Budget Implementation, Execution or Administration –

Budget implementation commences when the executive signs the general warrant authorizing the Accountant General to issue money and officers controlling votes to incur expenditure. This is part of pre –audit exercise of budget control.

Implementation involves the translation of financial releases approved in the budget to concrete action, i.e. bureaucrats try to ensure the fulfilment of both the financial and fiscal/economic aspects of the budget. While the financial

aspect tries to avoid unnecessary lapse in expenditure, the fiscal/economic tries to ensure that physical programme and project targets are reached. These two aspects, which could be form of monitoring, are operationalised through the government's administrative process that comprises four major interrelated phases of work.

(a) an allocation system under which expenditure is controlled by release of funds,

(b) supervision of the acquisition of goods and services to ensure value for the money spent,

(c) an account system that records government transactions and provides a framework for analysis of their implications, and

(d) a reporting system that permits a period of appraisal of actual implementation of policies by bureaucrats and legislators.

(iv) Budget Control, Review and Audit –

Halidu (1988) sees budget review and audit as inseparable from implementation as they are essentially part of the

administrative and accounting elements in the implementation process. This budget review, audit (including pre – audit) and control are very essential and should constitute part of the highlights of any budget implementation exercise.[21]

Koleade (2004) however, stresses that audit cycle should commence during the budget year – involving the routine vouching and checking of receipts and payments, stores etc and the assessment of the system of internal control existing in the various Ministries and agencies, while the final audit process (report) takes place after the budget year[22]. Section 125 (5) of the 1999 Constitution states that the Auditor General for a state shall submit his report to the House Committee responsible for Public Accounts within 90 days after the receipt of the report of the Accountant General's financial statement and annual accounts of the state[23].

It is important to note that both policy making process and budgeting process follow the same pattern and thus budget process is an aspect of policy making process.

2.2 Theoretical Framework

Over the years, some prominent political scientists have developed a number of concepts and models to assist in understanding political life and to suggest explanations for political events and outcomes in political systems. Public policy analysts have also been using some of these concepts models to explain public policy. And such theories used include system theory, elite, rational, group, institutional, incremental theories etc. each of these models can help in the understanding of different things about public policy.

Our theoretical framework for this study is the systems theory in explaining public policy making in Kaduna State.

2.3 Systems Theory

The systems theory is generally associated with David Easton, a prominent political scientist, who perceives public policy as a response of a political system to forces or demands arising from the environment.[24]

In this theory, forces generated in the environment, which affect the political systems are viewed as inputs. The environment is any condition or circumstance viewed as external to the boundaries of the political system. The political systems refer to that group of interrelated structures and

processes which function authoritatively to allocate values of the system and the allocations constitute public policy. The systems theory, thus portrays public policy as an output of political system, and the concept ”systems” has two implications;

(i) it implies an identifiable set of institutions and activities in society that function to transform demands into authoritative decisions with the support of the whole society, and

(ii) it also implies that elements of the society, are interrelated that the system can respond positively to the forces in its environment by bringing out reasonable outputs (policies) in order to preserve itself.[25]

According to the systems theory, inputs are received into the political system in form of both demands and support. Demands occur when individuals or groups in response to real or perceived environmental conditions, act to affect public policy. That is demands are reflections of wants, needs or desires of individuals or groups in environment/system. Support is rendered when individuals or groups accept the outcome of elections, obey the laws, pay taxes and conform to policy decisions. Every system absorbs a variety of demands and in order to transform these demands into outputs (Public Policies), it must first arrange settlements and

enforce these settlements, upon the parties concerned. These outputs (policies) should have modifying effect on the environment, demand and the character of the political system.[26]

The systems concept of feedback shows that public polices and demands affect the environment. That is outputs (policies) alter the environment and thereby affect future demands (inputs) which in turn may produce new policy policies or outputs, and so on in a continuous flow of decision making as demonstrated at the diagram below:

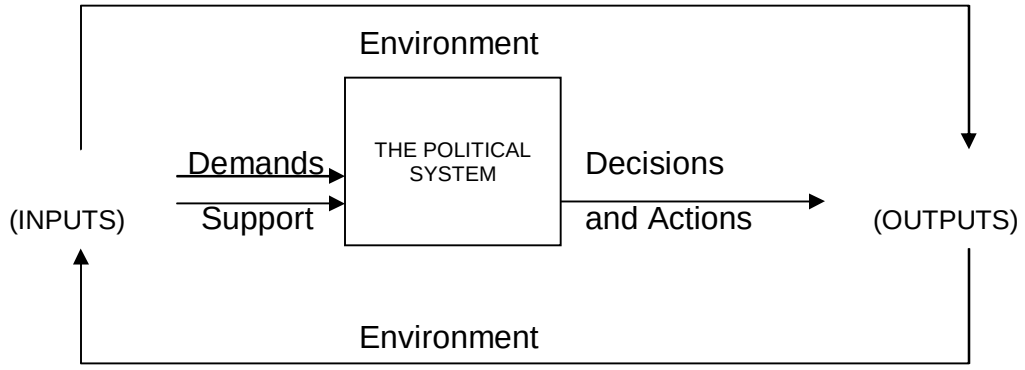


Fig. 2.2.3 The Systems Model

The systems theory is relevant to the analysis or understanding of public policy making process as the model agrees that public policy in a

political system arises from demands or perceived problems in and environment and that policy making process involves a few privileged people who are in the corridors of power i.e. the executive and the legislative arms or organs of government, involving politicians and bureaucrats as is the situation in Kaduna State

The system theory is therefore, relevant to the analysis or understanding of public policy making process because of its cyclical nature – i.e. environment → inputs (demands) → outputs (policies) → environment, etc. public policy making process as earlier pointed out is cyclical, i.e. starting from problem identification to policy formulation, authorization, implementation, evaluation, appraisal and review. And the budget making process also has a cyclical process starting from budget formulation to budget preparation, authorization, implementation, control/audit and review.

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CHAPTER THREE

3.1. HISTORICAL BACKGROUND, FUNCTIONS AND ORGANISATIONAL STRUCTURE OF KADUNA STATE HOUSE OF ASSEMBLY

3.1 History of Kaduna State

Kaduna State (formally North Central State) came into existence in 1967 following the creation of twelve States out of the then existing Regions. In 1987 Katsina State was created out of Kaduna State. The State is one of the 36 States of the Federal Republic of Nigeria, and is located at the centre of the Northern part of the Country. Kaduna State is in the North-Western geo–political zone of Nigeria, and is bounded in the north by States like Kano, Katsina and Sokoto, in the west by Niger State, in the South by the Federal Capital Territory – Abuja and Nassarawa State and in the East by Plateau and Bauchi States.

Kaduna, the State Capital was formerly the seat of the Government of the Northern Nigeria headed by legendary Sardauna of Sokoto. It is blessed with many establishments like the famous Peugeot Vehicle Assembly Plant, Kaduna Refinery and Petrochemical Plants, Military establishments including the only Military University in the country. It is said to serve as the heaven for most of the country's power brokers consisting

of retired Military Officers and Bureaucrats, and successful businessmen and politicians.[1]

3.2 Kaduna State House of Assembly

The Kaduna State House of Assembly occupies the popular building called Lugard Hall, Kaduna, which is located along Ali Akilu in the centre of Kaduna. The Lugard Hall Complex built in the 1950s by then Governor of Northern Nigeria, the Sardauna of Sokoto, is said to be a replica of the House of Commons in England. The Kaduna State House of Assembly has symbolic importance to other Houses of Assembly in Northern Nigeria in particular and Nigeria in general.

The Kaduna State House of Assembly in the Fourth Republic, which is the period of our study, came into existence as a result of the Transitional Programme of the Military Regime of General Abdussalami Abubakar (1998 – 1999). Like all other Legislative Houses in Nigeria, the Kaduna State House of Assembly came into existence as a result of successful general elections conducted in the Country in 1999, which ushered in an Executive President, Governors, representatives of the people at the National and State Houses of Assembly. On the 2nd of June, 1999, the Kaduna State House of Assembly was formally inaugurated by

the proclamation of His Excellency, the Executive civilian and elected Governor of Kaduna State; Alhaji Ahmad Muhammad Makarfi, as the first Assembly of the House in the Fourth Republic, and the subsequent inauguration of the Second Assembly of the House on 6th of June, 2003, by the same Governor, who was re-elected for a second term.

3.3 Functions of the Legislature

3.3.1 The Kaduna State House of Assembly or Legislature forms the legislative arm of government in Kaduna State. Like in most democratic settings or dispensations, the Kaduna State House of Assembly has the constitutional and primary responsibility to make laws for the State among other functions. The functions of the Legislature to be discussed are only those related to public policy making or budget making process.

The 1999 constitution of the Federal Republic of Nigeria, in appreciation of the principles of separation of powers and its twin concept of checks and balances, empowers the Legislature or State House of Assembly to make laws and check the excesses of the Executive[2]. This is to safeguard the citizenry from undue oppressive and tyrannical tendencies of government.

The law making power of the legislature include, the power to amend or repeal an existing law. By making a new law or making amendment on an existing law, the legislature establishing government's policies or changing government's policies as provided by sections 6 and 7 of the 1999 constitution of the Federal Republic of Nigeria. Section 6 of the constitution stipulates that the "legislative powers of a State of the Federation shall be vested in the House of Assembly of a State.[3] And section 7 of the same Constitution states that the "House of Assembly of a State shall have power to make laws for the peace, order and good governance of the State or any part thereof with respect to any other matter included in the concurrent legislative list set out in the first column of part II of the second schedule of the 1999 Constitution.[4]

3.3.2 Control over public Funds

(a) The State Legislature, - Kaduna State House of Assembly, has constitutional and legislative powers to control public funds or expenditure in a State in accordance to section 120 subsections 2 – 4, which stipulate that no moneys shall be withdrawn from the Consolidated Revenue Fund of the State without approval or authorisation by a law of the House of Assembly of the State. Hence

the Governor of the State, must prepare and present a draft budget proposal referred to as “Appropriation Bill for consideration, scrutiny and authorisation by the legislature in accordance to section 121 of the 1999 Constitution[5].

3.3.3 Oversight Functions

(a) The State Legislature is by the provision of section 128 of the 1999 Constitution of the federal Republic of Nigeria, empowered to perform oversight functions on the Executive[6]. Oversight involves checking to ensure that government ministries, parastatals and agencies, carryout their responsibilities of implementing policies as promulgated through the budget and other legislation. The State legislature, by this provision has constitutional responsibility and duty to review and approve the budget and review performance of the executive in the implementation of government’s policies or programmes as approved by the legislature.

(b) Power to conduct public hearing and investigation. One of the most outstanding methods of legislative control of administration is that of committee hearing and investigations on the operations of the

executive arm of government. The public trust of governance demands that legislators should find out how well government programmes, policies and projects are implemented, and also the performance of public administrative officers or bureaucrats towards achieving projected goals.[7] Thus, the legislature or its appointed committee is empowered by section 129 of the 1999 Constitution to issue summons or warrants to compel the attendance of any person before it in its effort to procure evidence and examine all persons whose evidence may be material or relevant to the subject matter of the investigation.[8]

(c) Sectoral or Ministerial House Committees also go out on tour periodically to monitor implementations of projects approved in the budget.

(d) Receipt and Application of Auditor General Report: Under the Presidential system of government, like the case in Nigeria, the Auditor General, although independent is directly responsible to the legislature and not to the executive. The 1999 Constitution of the Federal Republic of Nigeria vide Section 125 (2) & (4) charged the Auditor General of the State with the task of auditing all the Public Accounts of a State and Courts of the State; and to conduct periodic

checks on all government statutory Corporations/Parastatals, Commissions and Agencies, respectively.[9] And by the provision of Section 125 (5), the "Auditor General for the State shall within 90 days of receipt of the Accountant – General's functional statement and annual accounts of the State, submit his report to the House of Assembly of the State"[10] to be considered by the Public Accounts Committee of the House, which would after consideration report to the Committee of the whole House.

The purpose of the legislative investigation or inquiry and general oversight function, is to expose corruption, inefficiency and waste in the disbursement and administration of funds appropriated by the legislature, so that transparency and accountability in public administration can be achieved. However, to be empowered to effectively carryout this crucial function, both legislators and relevant supportive staff must have good knowledge and must have been involved in the budgetary process, know the processes of awarding and executing public contracts and how bureaucracy works. This can be achieved through attendance in trainings and workshops for both legislators and relevant supportive staff on the dynamics of budgeting, budget authorisation and implementation.

3.4 The Organisational Structure of the Kaduna State House of Assembly:

The Kaduna State House of Assembly, being a governmental institution and political institution, is organised in such a way that alongside the political functionaries and political leadership, are Staff Management and other supportive Staff, who are civil servants, who provide services required by the political functionaries.

3.4.1 The Speaker of the House is the Political Leader and Chief Executive of the Kaduna State House of Assembly. He is assisted by other Principal Officers of the House which include, the Deputy Speaker, Majority Leader, Chief Whip and Minority Leader. And with the help of a Selection Committee usually headed by the Speaker, the Standing Committees of the House are constituted and Chairmen appointed to head the Committees for the purpose of involving legislators in the act of legislation.

3.4.2 The Clerk of the House, whose standing in the State Administrative structure is equivalent to the Permanent Secretary is the administrative head of the Management and supportive Staff. He is the Accounting Officer of the Honourable House, and also answerable to the Honourable Speaker.

He attends all Sittings of the House and the Office of the Clerk coordinates the entire administrative machinery of the Assembly.

For the realisation of the objectives and purposes for which the Kaduna State House of Assembly exists, there are six Departments, each providing specialised services, namely:

(a) Department of Administration and Supplies

(b) Department of Finance and Accounts

(c) Department of Legislative Drafting

(d) Department of Hansard and Publications

(e) Department of Budgets, Planning, Research and Statistics

(f) Department of Legislative Matters.

Each of these Departments is headed by a Director and the Director of the Legislative Matters Department is tagged the Deputy Clerk of the House. Down the Hierarchy of these Departments after Directors are Deputy Directors, Assistant Directors and other Senior and Junior Staff, performing duties appropriate to their ranks and positions.

3.4.2 **(a) Department of Administration and Supplies:**

As the name implies, the Department deals with matters related to general administration of the House, Personnel Matters, supplies and procurements of goods and services and their distributions. The Department has the responsibility of enhancing productivity, efficiency and effectiveness of workers by ensuring discipline and staff training. It is also responsible for maintenance works, provision of welfare and general services in the House. Some of the Units in the Department include: - the Stores, Clinic, Staff Canteen, Telephone, Maintenance, Protocol and Public Relations.

(b) Department of Finance and Accounts:

This Department manages the financial responsibilities of the House. It pursues and makes available funds for the running of the House. It prepares required accounting records showing the exact source of revenue and expenditure of the legislature. The Department is also in charge of the custody of all monies and payment of salaries and allowances of the Legislators and Staff of the Assembly.

(c) Department of Legislative Drafting:

The Department is the hub in Law making because it guides the Legislators on how to go about dealing with Bills and producing Laws and interpretation of the provisions of the Constitution. The Department employs appropriate language in Law making as it is manned by lawyers.

(d) Department of Hansard and Publications:

The Department plays crucial role during Sittings of Honourable Members at the Chamber. It is responsible for producing Verbatim Reports of the House Proceedings (Hansard), the Official Reports, Order Paper, produce Bound Volumes covering debate proceedings of the Assembly. Thus, it is usually headed by an Official Reporter. It is in recognition of the vital roles of the Department that a Printing Unit well equipped has been established in the Assembly Complex to enhance speedy execution of these responsibilities. The issue however, is that the Printing Unit is underutilised in spite of the heavy investments and sometimes some printing works like Bound Volumes are referred to the Government Printer.

(e) Department of Budget, Planning, Research and Statistics

This Department is supposed to provide technical support and information services to the Legislative Appropriation Committee. It is supposed to scrutinise the draft budget presented to the Legislature by the Governor. The Department coordinates the preparation of annual budget estimates of the House to meet the needs of Legislators and Departments, for the smooth running of the House in each fiscal year. This includes the classification of statistical data of all departments in the Legislature in terms of proposed annual estimates and their personnel costs.

The Department is supposed to be engaged in conducting research programmes, collection of data and information. It is also supposed to work closely with the Appropriation Committee in order to assist in analysing annual and supplementary budgets as well as giving budget interpretations. Its Staff are therefore, supposed to also work with relevant Committees of the House during periodic monitoring of budget implementation of projects embarked by various Ministries, Departments and Agencies as approved in the budget for evaluation.

The Staff of this Department are therefore, very relevant in our study. The level of their involvement in the budgeting process will go along way to improving the performance of the Legislature in budgeting process as an aspect of policy making process.

(f) The Legislative Matters Department:

The Department being one of the Core Departments in the Legislature, plays central and vital role in the functioning of the Legislature and the performance of Legislators. This is because almost all its Staff are linked with the chambers and most of them serve as Secretaries to the various Committees of the House.

The Legislative Matters Department has two Units:

(i) The Table Unit:

This Unit is responsible for the production and keeping of Minutes of proceedings of the House which are printed and published as Votes and Proceedings of the House. It keeps records of proposed Motions, Bills and guides legislators on procedural matters. Other responsibilities of the Unit include; the preparation of Order Paper, processing of petitions, providing secretarial services for the Rules and Business Committee, preparing the business calendar of the Rules and

Business Committee, preparation of seasonal and annual volumes of Bills and also provide information and advices on Parliamentary matters to Honourable Members.

(ii) The Committee Unit:

The main functions of the Unit include, provision of secretariat services to the general purpose Committees, Joint or Ad-hoc Committees of the Legislature, arrangement of Committee tours as resolved by the House, production of Annual Reports on Standing and Special/Select Committee of the whole House, collection and collation of information on matters referred to the House, issuing out letters of summons and subsequent production of draft reports for the consideration of the various committees on matters pertaining to their oversight functions.

3.3.5 Procedure for Debate and Passage of a Bill

A Bill is draft of a proposed Law to be discussed by House of Assembly. It consists of a title, enacting words, body divided into clauses or sometimes contains schedules. A Bill can be sponsored or presented by either the executive (Governor), judiciary (Chief Justice) or privately sponsored by a Member. A Bill however, must mandatorily pass through three stages known as “readings” as provided by Order VII of the Rules of Kaduna House of Assembly which states that every Bill shall receive three readings and in three different days, unless the House unanimously directs otherwise and the Speaker shall give notice whether it is first, second or third reading.[12]

(a) **First Reading:** This stage is the formal declaration of the title of the Bill to the House. On the date scheduled by the Rules and Business Committee for the first reading, the Clerk of the House loudly reads the short title of the Bill, and a copy of it is symbolically placed on the table of the House by the sponsor, and a date will be given by the Rules and Business Committee for second reading.

(b) **Second Reading:** The second stage offers Honourable Members the opportunity to deal with the principles of the Bill

(merits and demerits) and then members decide to provisionally approve or reject the proposal. At this stage, the sponsor of the Bill moves a Motion that the Bill be read the second time and this Motion must be seconded. The Bill at this stage has to be supported by majority of members for its passage to the next stage. If it is supported by majority of Legislators, it moves to the next stage – i.e. referred to committee stage.

(c) Committee Stage: The Bill having passed the Second reading stage is referred to the appropriate Standing Committee for a detailed study. If however, the Bill touches the jurisdiction of two or more Committees, it shall be referred to the Committee having dominant jurisdiction. The other Committees affected shall be constituted into sub-committees thereof for the purpose of considering and reporting to the main Committee on aspects of the Bill affecting their Committees. The Committee to which, a Bill has been committed, shall report to the House after consideration of the Bill. The Committee at this stage can invite public and private contributors, especially experts and practitioners on the subject area of the Bill. The Committee after its deliberations and consideration will submit

recommendations and amendments if any, to the Committee of the whole House on a date fixed by Rules and Business Committee.

(d) Committee of the Whole House: At this stage, the Speaker/Presiding Officer assumes the position of a Chairman and the whole House considers the Bill clause by clause and necessary amendments are made. The Presiding Officer then gives a report as amended (or without amendment) to the House. The Bill is then ordered to be read the third time.

(e) Third reading: When a Bill has been reported to the Committee of the whole House, and has been ordered for third reading, and any Member who wishes to amend or delete any provisions in the Bill or introduce any fresh provision, may give notice of his intention on the third reading to move that the Bill be re-committed. At this stage however, there is limited debate and the Bill is hardly subjected to further amendment. Thereafter, an accurate record of votes will be taken by voice or roll call of all Members present and the Bill passed into Law.

(f) A Clean Copy: When a Bill has been passed by the House, a clean copy certified correct by the Clerk of the House, shall

within two weeks be presented to the Governor for his assent. If the Governor gives his assent, it becomes a Law as provided in Section 100 (20), (3) of the 1999 Constitution of the Federal Republic of Nigeria. Where the Governor withholds his assent and the Bill is again passed by the House of Assembly by two-thirds majority, the Bill shall become law and the assent of the Governor shall not be required as contained in section 100 (5) of the 1999 Nigerian Constitution.[13]

3.3.6 Procedure for Debate and Passage of Appropriation Bill (Budget)

Appropriation Bill is usually a financial summary of the recurrent and capital expenditure in a financial year, submitted by the executive to the Legislature for consideration. The importance of money in the running of a government cannot be overemphasised. Hence the prominence given to monetary matters by the Legislature which is noticeable from the fact that it separates the procedure for the treatment of financial matters from procedure for the treatment of other legislative matters or ordinary Bills.[14] This explains why having seen the procedure in the passage of ordinary bill in the Legislature, it is important for us to also look at the passage of budget referred to as Appropriation Bill, which concerns our study.

(a) Presentation of Budget or Appropriation Bill before the Legislature by the Governor:

The Governor of a State is charged by section 121 (2) of the 1999 Constitution of the Federal Republic of Nigeria to lay before the State House of Assembly, at any time in each financial year, estimates of the revenue and expenditure of the State for the following financial year, for consideration.

The tradition has been that State Governors use the appointed date for presentation of their Appropriation Bills to deliver their budget speeches. It offers the Governor opportunity to give an account of the State on the floor of the State House of Assembly; the exact financial state of the government, previous year's performance, prospects and initiatives for the forthcoming year are highlighted. It is usually an appraisal or stock – taking session of the performance of government and an announcement of the expected future programmes.

Order VIII of the Rules of the Kaduna State House of Assembly, 2003[15]. states that a Governor's Budget speech (presentation of Appropriation Bill) is considered the first

reading of the Bill: The Budget speech annexed to the Appropriation Bill is officially laid on the table and formally accepted by the Presiding Officer, before it is handed over to the Clerk of the House, symbolises the first reading of the Appropriation Bill. The Rules and Business Committee shall fix a date for the second reading and draws a deliberation calendar for the Budget Appropriation Bill.

(b) Second Reading:

At this stage, the Majority Leader will move that the Appropriation Bill be read a second time. During the second reading, the debate shall be confined to the financial and economic state of Kaduna State and the government's financial policy. Detailed items in the estimates may not be debated at this stage.

(c) Referral to Appropriation Committee:

After the Bill has been read the second time, it shall be committed or referred to the Appropriation Committee of the House. The various Standing Committees in the House shall for this purpose be deemed to be Sub-Committees of the Appropriation Committee and shall consider estimates of the

Ministries, Departments and Agencies which come under their charge. The Sub-Committees after consideration of the estimates of their respective Ministries or Departments, report back to the Appropriation Committee. The Appropriation Committee after deliberating on the reports of the Sub-Committees shall then report to the Committee of the whole House.

(d) Committee of the Whole House:

At this stage, the Appropriation Committee reports to the Committee of the whole House which is referred to in some Standing Orders or Rules as “Supply Committee or Ways and Means Committee”. At this level of the consideration of Appropriation Bill, amendments could be made and the Committee on Appropriation shall within three working days prepare and submit a summary of all amendments made and the Report shall show clearly the total amount approved for each Ministry, Department or Agency. Upon approval of the Committee’s Report by the Committee of the whole House, the Member in charge of the Appropriation Committee shall move for the third reading of the Bill for passage.

(e) Third reading:

If the motion tabled by the Chairman Committee on Appropriation succeeds and the third reading of the bill is read, the debate and proceedings on the Appropriation Bill will be concluded. The affirmative role of the required majority will conclusively set the stage for engrossment process and consequent Governor's assent.

3.3.7 Authorised Withdrawal before the Passage of Appropriation Bill:

Before the passage of the Appropriation Bill, a Governor of a State, can under section 122 of the 1999 Constitution of the Federal Republic of Nigeria, authorise the withdrawal of monies from the Consolidated Revenue Fund of the State for the purpose of meeting expenditure necessary to carry on the services of the government for a period not exceeding six months or until the coming into operation of the Law. And the amount to be withdrawn and spent must not be more than an equivalent amount approved in the last fiscal year for the corresponding period.

3.3.8 Summary of Appropriation Bills or Budget Presented to and Approved by the Kaduna State House of Assembly between 1999 and 2003

The Executive Governor of Kaduna State, Alhaji Ahmad Muhammad Makarfi, in line with his constitutional responsibility as provided in section 120 of the 1999 Constitution of the Federal Republic of Nigeria, presented annual budgets or Appropriation Bills before the Kaduna State House of Assembly for passage, authorisation or approval for the years 1999 to 2003, summarised below. The table shows the year, draft or proposed estimates submitted by the Government, and what is actually approved by the Legislators.

SUMMARY OF BUDGET PRESENTED TO AND APPROVED BY THE KADUNA STATE HOUSE OF ASSEMBLY BETWEEN 1999 – 2003

YEAR	DETAIL	ESTIMATES RECEIVED (₦)	NEW PROPOSAL BY THE LEGISLATURE (₦)	INCREASES (₦)
1999	Recurrent	842,016,535.00	–	–
	Capital	3,932,920,580.00	–	–
	Total	**4,774,920,580.00**	**–**	**–**
2000	Recurrent	5,918,000,000.00	5,958,000,000.00	40,000,000.00
	Capital	9,095,394,000.00	10,042,394,000.00	947,000,000.00
	Total	**15,013,394,000.00**	**16,000,394,000.00**	**987,000,000.00**
2001	Recurrent	11,687,303,675.00	11,810,493,675.00	123,190,000.00
	Capital	18,201,714,885.00	21,467,714,885.00	3,266,000,000.00
	Total	**29,889,018,560.00**	**33,278,208,560.00**	**3,389,190,000.00**
2002	Recurrent	12,912,412,080.00	15,038,539,420.00	2,126,127,340.00
	Capital	18,325,568,615.00	20,812,068,775.00	2,486,500,160.00
	Total	**31,237,980,695.00**	**35,850,608,195.00**	**4,612,627,500.00**
2003	Recurrent	16,137,472,175.00	16,926,972,175.00	789,500,000.00
	Capital	19,126,440,895.00	20,196,410,895.00	2,486,500,160.00
	Total	**35,263,883,070.00**	**37,123,383,070.00**	**4,612,627,500.00**

Source: *Kaduna State House of Assembly, 2006.*

From the table, the Kaduna State Legislature simply approved the 1999 budget presented by the Governor without decrease or increase, properly because most of the Legislators did not know whether or not they could alter the proposal of the Governor. However, from 2000 to 2003, as shown at the table, there were increases by the Legislators on budgetary estimates submitted by the Governor. And the reason for these increases could be due to lack of involvement of the Legislators at the early stages of budget making process when legislative initiatives should have been incorporated into the budget proposal. This explained why they had to make adjustments and increases on budgetary estimates so as to take care of the interests of their constituencies.

3.9 Problems and Prospects

3.9.1 Problems

Some of the problems that impringe on the effective performance of the Kaduna State House of Assembly can be summarised below:

(a) The Legislature in Nigeria is in its infancy considering the length of Military Rule in Nigeria since independence in 1960. Therefore, like in most legislative Houses in Nigeria, there is the problem of inadequate experience and training of both

Legislators and supportive staff in Kaduna State House of Assembly to properly equip them with the task of good and effective legislation.

(b) The infancy nature of the Legislature and inexperience of the Legislators, have allowed for executive influence on the Legislature, thereby limiting the independence of the Legislature. For example, during this period of study, the Executive Governor had a lot of influence on Honourable Members due to party affiliations.

(c) Leadership tussle amongst Legislators within the period of study led to the emergence of two leaderships of the House, thereby causing disaffection among Members. For example, during the battle to impeach the first Speaker, the Mace was broken.

(d) Lack of adequate equipment in some Core Departments. For example, the Assembly Library is not equipped with relevant books and legislative journals with which both legislators and staff can make researches and obtain current information relating to legislation. The problem is further

worsened by the non existence of Internet connectivity in the Assembly Complex.

(e) **Staffing:** Since the Legislature is an infant arm of government, with the inauguration of the House in June, 1999, the House at the end of that year, employed supportive staff and a few staff were deployed from the main stream of the Kaduna State Civil Service on Special Posting to the House. The employment of Staff by the House was not strictly based on merit as Honourable Members were simply allocated vacancies and were requested to bring candidates from their constituencies to fill. And most of those employed were without working experiences, except deployed staff from the main stream of the Service.

(f) **Infiltration of politics into the Service:** The nature of employment into the House led to infiltration of politics into the Civil Service of the Kaduna State Legislature, as the continuous stay of employees or deployed Staff in Service of the Legislature depends greatly on their relationship with the Legislators. This infiltration of politics into the Service for instance, led to the redeployment of four senior staff of the

Legislative Matters Department in 2003 to their Mother Ministries and Departments. They were all university graduates and had received trainings and attended workshops on Legislative procedures. This led to conversion of some newly employed officers from other Departments in the Legislature to replace those redeployed.

(g) Indiscipline amongst Staff: The consequent effect of infiltration of politics is general indiscipline amongst Staff of the State House of Assembly as some Staff look on to some of the Legislators as their godfathers and should not be disciplined even when they violate Civil Service rules, thereby making control of Staff difficult by the Management of the House.

(h) Underutilisation of Staff and equipment: Some Staff and equipment in some Departments in the House are underutilised. For example, the Printing Unit, under the Hansard and Publications Department in spite of the fact that it has many Staff and is not well equipped. This is due to lack of adequate maintenance of the equipment in the Unit. Consequently, sometimes Votes and Proceedings and Bound Volumes are produce outside the Assembly Complex.

3.4.2 Prospects:

(a) Continuous training of both Legislators and supportive Staff of the Legislature would help in improving the quality of legislation in the Kaduna State House of Assembly.

(b) Financial independence of the Legislature and unity amongst Members could guarantee the independence of the Legislature from the executive in Kaduna State.

(c) Provision, maintenance and utilisation of equipment would enhance effective legislation. For instance, if the equipment in the Printing Unit were utilised, the Assembly Library equipped with relevant books and journals and installation of Internet connectivity and facilities, there would be a conducive atmosphere for effective legislation.

(d) The establishment of the Kaduna State Assembly Service Commission in the last quarter of 2004, charged with the responsibility of employment, promotion, transfer and discipline of Staff, would improve the manner of employment, discipline amongst Staff, enhance job security and general productivity of Staff in the House.

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9. Ibid, P.51.
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CHAPTER FOUR

PRESENTATION AND DATA ANALYSIS

4.1 Data Presentation

The study being the “Role of the Legislature in Policy Making Process” with specific reference to budgetary process and a case study of Kaduna State House between 1999 and 2003, questionnaires were distributed to both Legislators and some relevant supportive Staff.

The statement of the problem, objectives of study and the stated hypotheses in Chapter One, formed the basis of the structure of the questionnaire administered. The data presented and analysed in this chapter were those distributed and returned after completion.

The questionnaire was designed into two sections; Section I was for Honourable Members, and Section II for relevant supportive Staff. 34 questionnaires were administered to the Legislators of the Kaduna State House of Assembly, and 20 questionnaires administered to 20 relevant supportive Staff and their response profile is shown in table 4.1.1 below. The presentation and analysis of data would be done in that order, starting from section I to section II.

Table 4.1.1

The Respondents' Profile

Category	No. of Questionnaire Distributed	No. of Returned Questionnaire	percentage
Legislators	34	31	87%
Supportive Staff	20	20	100%

Source: *Survey by researcher, 2006.*

From the table above, 31 Honourable Members out of 34, representing 87%, returned completed questionnaire. Considering the number or percentage of legislators that responded, their responses could be reliable to test hypothesis I.

The table also shows that all the 20 questionnaires administered to 20 relevant supportive Staff were completed and returned, representing 100%. In the distribution of the questionnaires to supportive Staff, 10 were given to the Legislative Matters Department because the Department provides Staff who serve as Secretary and Secretaries to the Appropriation Committee and its sub-committees respectively, and 10 from the Budget and Planning Department. From the percentage of response of supportive Staff, their responses could be reliable to test hypothesis II as they assist in

budget scrutiny and go on tour with Legislators monitoring budget implementation.

4.2 **Data Analysis**

Hypothesis I of this study was applicable to only Honourable Members/Legislators. “The low level of involvement/participation of the Legislature in budgetary process in Kaduna State is a function of weak democratic structures, in adequate experience, knowledge and training on budgetary process on the part of the Legislators.”

Table 4.2.1

Age of Respondents

Age Distribution	Frequency/Responses	Percentage
26 – 35 years	5	16.0
36 – 45 years	14	45.2
46 – 55 years	12	38.7
56 – 65 years	0	0.0
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

From the table above, majority of Honourable Members representing 83.9%, fall within 36 – 55 years, indicating that the Legislators in the Kaduna State House of Assembly within the period of study were matured people. Therefore, we should expect maturity and reliability in their responses to questions in the questionnaire.

Table 4.2.2.

Highest Qualifications of Legislators

Qualifications	Frequency	Percentage
SSCE/GCE/Grd. II	8	25.8
Certificate	7	22.6
OND/NCE/APA	9	29.0
Degree/HND	4	12.9
PGD	0	0
Masters	2	6.5
Ph D	1	3.2
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

The table above shows that all the Legislators in Kaduna State House of Assembly, under the period of study were literates, with majority of them representing 77.4% of the respondents, holders of either SSCE, Certificate,

Diploma Certificates or their equivalents. While the remaining 18.6% of them were holders of Degree/HND and Post-Graduate Certificates. This implies that if trained, enlightened on their responsibilities and committed could do well in their legislative functions.

Table 4.2.2

Number of Times Elected

No. of Times	Frequency/Scores	Percentage
Once	25	80.6
Twice	6	19.4
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

From the above table, 25 Legislators representing 80.6% of respondents, were elected to the House of Assembly for the first time, while only 6 of them representing 19.4% were elected for a second term. This implies that majority of Legislators did not have experience on legislative duties, and therefore, required training on their constitutional rights, responsibilities and should be supported by qualified and experienced Staff.

Table 4.2.3

Do you consider democracy and its structures weak in Nigeria?

Optional	Frequency/Responses	Percentage
Yes	24	77.4
No	7	22.6
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

From the responses of Legislators above, 24, representing 77.4% of the respondents agreed that democracy and its structures are weak in Nigeria. This implies that the Legislature which is considered symbol of democracy is weak in Nigeria, and therefore, needs to be braced up through capacity building of Legislators and supportive Staff.

Table 4.2.4

Do you agree that long Military Rule in Nigeria is responsible for the weak democratic structures?

Options	Frequency/Responses	Percentage
Yes	31	100
No	0	0.0
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

Responses in the above table show that all the 31 respondents agreed that long Military Rule in Nigeria is responsible for weak democratic structures. This implies that for democracy in Nigeria to grow stronger the Military should stay away from partisan politics, and politicians must play politics in accordance to the rules of the game, so that the Military should have no excuse to intervene in politics as was the case.

Table 4.2.5

Would you consider the Legislature an infant arm of government in comparison to the Executive and Judiciary, which have been in existence even under Military Rule in Nigeria?

Options	Frequency/Responses	Percentage
Yes	25	80.6
No	6	19.4
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

The responses above show that majority of the respondents, representing 80.6%, agreed that the Legislative arm of government is an infant to both the Executive and Judiciary which have been in existence under Military rule. This implies that the legislature may not be as strong and experienced as the other two arms of government, and have complete independence from the executive arm of government in spite of this provision in the 1999 Constitution, due to inexperience. This is the political environment the legislature finds itself, which is the statement of the problem of this research.

Table 4.2.6

Are Legislators in Kaduna State involved in budget making process?

Options	Frequency/Responses	Percentage
Yes	31	100
No	0	0.0
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

From the above table, responses show that 100%, of the respondents indicated that Legislators were involved in budgetary making process. The level of the involvement of the Legislators in budgetary process is however, the issue at stake, i.e. whether the level of their involvement is in accordance to the 1999 Constitution or not, and if not what are the impinging factors?

Table 4.2.7

If yes, at what stage(s) of budget making process are you involved?

Options	Responses	Percentage
Budget formulation	0	0
Budget preparation	0	0
Budget authorisation	31	100
Monitoring of budget implementation	31	100
All of the above	0	0

Source: *Survey by researcher, 2006.*

From the above table, all respondents, representing 100%, indicated that they were involved in budget authorisation/passage, and monitoring of budget implementation. This implies that Legislators were not involved at the formulation and preparation stages of budget making process. This situation could create the tendency of Legislators individually lobbying for favours from the executive for certain projects to be cited in their constituencies, thereby limiting the independence of the Legislature. However, with continuous training on budgetary process of Legislators,

they would see the need to be in consultation with the executive even at the formulation and preparatory stages.

Table 4.2.8

Do you agree budgets or appropriation bills passed by the House incorporate government's policies and programmes?

Options	Responses	Percentage
Yes	31	100
No	0	0
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

From the responses in the above table, all the respondents, representing 100% agreed that government's budgets incorporated government's policies and programmes. This implies that budget making in government is an important aspect of public policy making process.

Table 4.2.9

Did you have previous knowledge on budgetary process before you became member of the Kaduna State House of Assembly?

Options	Responses	Percentage
Yes	14	45.2
No	17	54.8
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

From the above responses in the above table, majority of the respondents, representing 54.8% did not have previous knowledge on budgetary process before they became Members of the Kaduna State House of Assembly. This implies that majority of the Legislators were handicapped in terms of budget scrutiny, and possibly affected their level of involvement in the budget making process.

Table 4.2.10

Have you had any training(s) or workshop(s) on budgetary process apart from the induction course you had before your inauguration?

Options	Responses	Percentage
Yes	4	12.9
No	27	87.1
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

The above table shows that majority of respondents, representing 87.1% did not have training or workshop on budgetary process since their inauguration. If majority of respondents did not have previous knowledge on budgetary process as shown at table 4.2.9, and did not have training or workshop on budgetary process, then they were not likely to be effectively involved in budget making process.

Table 4.2.11

How often do the standing House Committees go on tour to monitor budget implementations by the Executive?

Options	Responses	Percentage
Quarterly	0	0
Twice a year	9	29.0
Once a year	15	48.4
Not fixed	7	22.6
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

From the above table, majority of respondents representing 48%, indicated that Legislators went on oversight tour to monitor budget implementations once in a year, while 29% of the indicated twice and 22.6% indicated number of times not fixed. Monitoring of budget implementation or oversight function is an important constitutional function of the Legislature in ensuring the achievement of high level of budget implementation and therefore, for Legislators to embark on monitoring tour once a year is not good enough to effectively monitor budget implementation of the government programmes or projects.

Table 4.2.12

To what extent have Legislative oversight functions improved transparency and accountability in budget implementation in Kaduna State.

Options	Responses	Percentage
To a greater extent	9	29.0
To a great extent	7	22.6
To an extent	6	19.4
Fairly achieved	9	29.0
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

From the table above, the respondents were divided on the level of impact of their oversight functions to improving transparency and accountability in budget implementation or public funds administration. Legislative oversight function is very important in ensuring budget implementation, and if not done effectively, public funds could be misappropriated or embezzled.

Table 4.2.13

How would you consider the level of involvement of Legislators in budgetary process in Kaduna State?

Options	Responses	Percentage
Deeply involved	7	22.6
Involved	17	54.8
Fairly involved	7	22.6
Not involved	0	0
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

From the above table, majority of respondents representing 54.8%, indicated that they were involved in budgetary process, while 22.6% of them considered the level of their involvement as deeply involved and fairly involved respectively. This implies that they were involved, but their level of involvement can not be said to be deeply involved.

Table 4.2.14

How do you consider the level of independence of the Legislature from the Executive in budgetary process?

Options	Responses	Percentage
Independent	14	45.2
Fairly independent	13	41.9
Not independent	4	12.9
Don't know	0	0
TOTAL	**31**	**100**

Source: *Survey by researcher, 2006.*

From the above table, 14 respondents representing 45.2% indicated that the Legislature is independent from the Executive in budgetary process, while 13 respondents representing 41.9% indicated fairly independent and 4 respondents representing 12.9 indicated not independent. This implies that the last two categories of respondents totalling 54.8%, were not sure of the independence of the Legislature from the Executive in budget making process.

4.2.15 In your own view, how can the involvement of Legislators in budget making process in Kaduna State be improved considering its importance for good governance, development and general wellbeing of the citizenry?

Commenting on the above, respondents recommended the following:

(a) Capacity building of Legislators, i.e. training and retraining of Legislators on their constitutional powers, responsibilities on budgeting or budgetary process.

(b) Establishment of monitoring and pricing unit in the Legislature to monitor budget making process, especially before the authorisation stage.

(c) Equipping of the Assembly Complex Library with relevant books, magazines and journals to facilitate learning and acquisition of relevant information or data.

(d) That the Assembly Complex should be connected to internet.

HYPOTHESIS II

As earlier stated at the introductory part of this chapter, section II, of the questionnaire was applicable to and administered to 20 supportive Staff, 10 in the Legislative Matters Department and 10 from the Budget and

Planning Department. The response profile as shown at the introduction of this chapter was 100%. Questions in this section were designed to test hypothesis II.

Hypothesis II

The low quality of relevant supportive Staff, coupled with the inexperience, inadequate training, equipment and facilities, are responsible for low level of involvement of the Legislature in budgetary process in Kaduna State.

Table 4.2.17

Highest qualification of Staff

Qualifications	Responses	Percentage
SSCE/GCE/Grd. II	0	0.0
OND/NCE	8	40.0
Degree/HND	11	55.0
PGD	1	5.0
Masters	0	0.0
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

From the table above, 11 or 55% of the respondents were Degree Certificate holders or equivalent, and most of them were from the Legislative Matters Department as the minimum entry qualification is degree certificate or its equivalent. Whereas, 8 or 40% of the respondents were with Ordinary Diploma certificate or equivalent and from the Budget and Planning Department. This implies that most of the Staff of the Budget and Planning Department were of low qualification, and therefore require continuous training on the subject matter.

Table 4.2.18

Rank of respondents

Qualifications	Responses	Percentage
Budget Assistant	8	40
Budget Officer	1	5.0
Chief Budget Officer	1	5.0
Legislative Officer II	9	45.0
Legislative Officer I	1	5.0
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

From the above table, most of the respondents were not very senior Officers, this might be due to their certificates and those that had degree certificates or equivalent were not long in the service.

Table 4.2.19

Grade Level of respondents

Grade Level	Responses	Percentage
06	8	40.0
08	9	45.0
09	1	5.0
12	1	5.0
13	1	5.0
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

From the table above, 8 or 40% of the respondents were junior Staff who were Staff of the budget and Planning Department, and the majority of those of them who could be categorised senior Officers, i.e. from GL.08, were not very senior Officers and therefore, were likely to be less experienced.

Table 4.2.20

Year of first Appointment

Year of Appointment	Responses	Percentage
1988	2	10.0
1999	12	60.0
2000	3	15.0
2003	3	15.0
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

From the above table, only 2 or 10% of the respondents were not employed by the Legislative Service. Implying that they were deployed to the Legislature from the main stream of the Civil Service. Whereas, the remaining 90% of the respondents were employed by the Legislative Service between 1999 and 2003. and as earlier stated, employment then and prior to the establishment of the Assembly Service Commission in 2004 was not strictly based on merit, but political affiliations. Such Staff, may not be supportive enough without training and retraining.

Table 4.2.21

Is your discipline related to budgeting?

Options	Responses	Percentage
Yes	12	60.0
No	8	40.0
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

From the above table, 12 or 60% of the respondents indicated that their disciplines were related to budgeting, and 10 of them from the Budget and Planning Department, while 2 from the Legislative Matters Department. This shows the disciplines of most of the supportive Staff in the Legislative Matters Department were not related to budgeting, showing that most of them were not on a sound position to meaningfully assist or support Legislators in the budgetary process.

Table 4.2.22

Did you have previous knowledge on budgetary process?

Options	Responses	Percentage
Yes	12	60.0
No	8	40.0
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

The table above shows that 12 or 60% of respondents had previous knowledge on budgeting process. The issue however, is whether they are utilised, or not in budgetary process.

Table 4.2.23

Have you had any training or workshop(s) on budgeting or budgetary process since you joined the legislature?

Options	Responses	Percentage
Yes	3	15%
No	17	85.0
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

From the table, 17 or 85% of the respondents indicated that they did not have any training or workshop on budgetary process since their employment. This shows that Staff training is not given attention in the Legislative Service. With low qualifications, inexperience and inadequate training on the subject matter, relevant Staff may not be supportive enough to the Legislators in the discharge of their constitutional responsibilities in the budgetary process.

Table 4.2.24

Are you involved in the scrutiny of budgets or appropriation bills submitted by the Executive?

Options	Responses	Percentage
Yes	17	85.0
No	3	15.0
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

The tale above shows that 17 or 85% of respondents indicated that they were involved in budget scrutiny at their various sub-committee levels.

Table 4.2.25

Do you go on budget monitoring tours with Legislators?

Options	Responses	Percentage
Yes	11	55.0
No	9	45.0
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

The table above shows that 1 or 55% of the respondents were involved in budget monitoring tours with Legislators. Budget monitoring helps the Legislature to know the level of budget compliance, see unforeseen problems in the course of implementing, which form the basis for review.

Table 4.2.26

If yes, how often is this budget (budget monitoring) done in a year?

Options	Responses	Percentage
Not often	5	25.0
Once a year	11	55.0
Twice a year	2	10.0
Not fixed	2	10.0
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

From the table above, majority of the respondents, representing 55% indicated that monitoring of budget implementation was done once a year. This is not good enough, therefore, the Legislature may find it difficult to ensure high level of compliance without quarterly or constant monitoring.

Table 4.2.27

Would you say the House of Assembly Library is equipped with necessary facilities to enhance the quality of Legislation?

Options	Responses	Percentage
Yes	0	0.0
No	20	100
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

The above table confirms that the library in the Assembly Complex is not adequately equipped with relevant books, magazines and journals to facilitate data collection, as at the time the survey was conducted.

Table 4.2.28

Is the House of Assembly Complex connected to internet?

Options	Responses	Percentage
Yes	0	0.0
No	20	100
TOTAL	**20**	**100**

Source: *Survey by researcher, 2006.*

From the table above, there is no internet connectivity in the Assembly Complex. This is not good in this our Millennium age of information technology, and the fact that the Kaduna State House of Assembly is a model legislature to other legislative Houses in the North in particular and the whole country at large.

4.2.29 In your own opinion, what are your recommendations to the House for the improvement on the level of involvement of the Legislature in budget making process and qualitative legislation in Kaduna State?

Commenting on the need to improve the involvement of the legislature in budget making process and qualitative legislation in Kaduna State, most Staff recommended the following:

(a) Capacity building of Staff and Legislators.

(b) Equipping of the Library with necessary books, journals and internet connectivity.

(c) Utilisation and involvement of Staff in all levels of budget making process.

(d) Staff motivation – i.e. promotion of Staff, now that the Assembly Service Commission has been created by the State government.

4.3 **Major Findings**

To test the hypotheses on this study, the researcher relied on the information contained on the completed and returned questionnaires by the Legislators and supportive Staff. The two hypotheses which guided this research have been validated by the results of the survey.

The low level of involvement/participation of the Legislature in budgetary process in Kaduna State, is a function of weak democratic structures, inadequate experience, knowledge and training on budgetary process on the part of the Legislators.

The acceptance of hypothesis I, is based on the fact that majority of respondents agreed that democracy and its structures are weak in Nigeria due to long Military Rule, and that the Legislature is an infant arm of government compared to the executive and judiciary, as shown at tables 4.2.3, 4.2.4 and 4.2.5 respectively.

With inexperience in legislative duties, as majority of the respondents indicated at table 4.2.2, that they were elected for the first time into the

Legislature, certainly the involvement of the Legislators on certain important matters like budget making process, without training, would be low.

The survey revealed at table 4.2.7 that Legislators in Kaduna State House of Assembly were involved at the third and fourth stages of budget making process, i.e. authorization and monitoring of budget implementation and preparation. This implies that they were not involved in the early stages of budget formulation and preparation. This implies that they were not deeply involved in the budget making process as shown at table 4.2.13.

The survey also revealed at table 4.2.9 that majority of Legislators did not have previous knowledge on budgetary process and table 4.2.10 shows that majority of Legislators did not have training workshops on budgetary process.

Therefore, in a political environment of infancy, inexperience and coupled with inadequate training and other facilities, one would not expect much from the Legislature, not surprising, the monitoring of budget implementation by Legislators during the period was poor as shown at table 4.2.11.

The low quality of relevant supportive Staff, coupled with inexperience, inadequate training, equipment and facilities, are responsible

for the low level of involvement of the legislature in budgetary process in Kaduna State.

The acceptance of hypothesis II is based on the fact that majority of the Staff of the Budget and Planning Department, who should be more involved in budget scrutiny and monitoring of budget implementations, were National Diploma Certificate holders, employed between 1999 and 2003, by the Legislative Service, with a few deployed Staff from the mainstream of the Civil Service. This is a clear situation that majority of the relevant supportive Staff on the subject matter, were of low educational qualification and inexperienced as shown by their ranks, grade levels and year of employment at tables 4.2.18, 4.2.19 and 4.2.20 respectively.

The survey also revealed that supportive Staff were further handicapped by lack of training on budgetary process as shown at table 4.2.22, where 85% of the respondents indicated that they did not have training or workshop on budgetary process since their employment. The supportive Staff therefore, may not be supportive enough to make the Legislature deeply or effectively involved in budgetary process.

Therefore, in a situation where democratic structures are weak, the Legislature is at its infancy stage, both Legislators and Staff inexperienced, and inadequately trained and equipped with enabling facilities, the

Legislature can not be in a good position to be deeply or effectively involved in budget making process as revealed in this research. Not surprising, both Legislators and supportive Staff have recommended for capacity building for Legislators and supportive Staff on budgetary process, and equipping of the Assembly library with relevant books, journals, magazines and internet facility as measures to be taken to improve the level of involvement of the Legislature in budget making process in Kaduna State.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATION

5.1 Summary

The study was conducted mainly to determine the Role of the Legislature in Policy Making Process, with specific reference to budget making process and a case study of Kaduna State House of Assembly, between 1999 and 2003.

The study was designed to contain five chapters, chapter one which is the proposal for the study is made up of introduction, statement of the problem, objectives of the study, the hypotheses, scope and limitation of the study methodology, plan of the study and definition of terms or concepts. Chapter two contains Literature Review on public policy making process and budget making process, and theoretical framework drawn from the works of the prominent political scientists and political economists. Chapter three contains the historical background, functions and organisational structure of Kaduna State House of Assembly, procedure for debate and passage of budget or appropriation bills, and summary of the appropriation bills presented and passed by the House between 1999 and 2003. Chapter four contains data presentation and data analysis of the

administered and returned completed questionnaires. Chapter five contains summary, conclusion and recommendations.

5.2 Conclusion

In this study, attempts were made to access the level of involvement of the legislature in budget making process, a case study of Kaduna State House of Assembly, between 1999 and 2003.

The political environment of weak democratic structures which the legislature in Nigeria finds itself due to long Military Rule, shows that the Legislature is an infant arm of government compared to the Judiciary and Executive which have been in existence even under Military Rule. Therefore, considering the fact that the Legislature is the symbol of democracy and its constitutional responsibility in promoting development and general wellbeing of the citizenry, through its control on public funds and expenditure, it is pertinent that the level of involvement of the legislature in budgetary process is examined for possible improvement.

Two hypotheses were tested and proved that the level of involvement of the Legislature in budget making process in Kaduna State within the period of study was generally low as indicated in chapter four, due to weak democratic structures, the infancy nature of the legislature, inexperience

and inadequate facilities and training on the part of Legislators and supportive Staff on budgetary process. These impringing factors have made the legislature unable to be deeply or effectively involved in budget making process as revealed in this research.

The Kaduna State House of Assembly being a case study of this research, is a model Legislature to other Houses of Assembly in the Northern part of Nigeria in particular and the whole country in general considering its historical importance. Nigeria, being a Federal State, with thirty six States, governed by the same constitution and experiencing the same political environment, could be experiencing what we have seen in Kaduna State House of Assembly in terms of the level of involvement of the Legislature in budget making process in Nigeria. And therefore, recommendations should be given for the general improvement of the level of involvement of the Legislature in budget making process in Nigeria.

5.3 **Recommendations**

From the summary, data analysis and conclusions, recommendations need to be made as measures to improving the level of involvement of the legislature in budget making process in Nigeria.

1. Continuation of democratic form of government in Nigeria despite its difficulties, crises and cost implications would go a long way to improving the performance of the Legislature in its constitutional responsibilities. The crises in our bid to plant democracy today, should have been experienced long time ago if not because of a long Military Rule, Politicians therefore, should play politics according to the rules of the game, so that the Military will have no reason to intervene in politics. With continuity of democracy, democratic values could be internalised and be modelled to suit the Nigerian peoples' interests and cultural diversities. As the country continues with democracy, we shall learn from our experiences and there would be improvement on the quality of Legislators to be elected and supportive Staff and subsequently improvement in general legislative functions and good governance.
2. Considering the importance of budgets or appropriation bills on the general development and wellbeing of the citizenry, and the constitutional powers given to the legislature by the Nigerian Constitution of 1999, in the control of public funds and expenditure, Legislators should be made to be deeply involved

in budget making process. This can be achieved through the conduct of free and fair elections, election of credible representatives, who can effectively check the excesses of the executive in line with the principle of separation of powers and rule of law which are the watchwords of democracy.

3. Capacity building of both Legislators and relevant supportive Staff on budgetary process. This involves training and retraining of both Legislators and supportive Staff on budgetary process, and general enlightenment of the Legislators on their constitutional roles and obligations on budgetary procedures so that the legislature is not only seen at budget authorisation, but effective monitoring of budget implementation to enhance high level of annual budget implementations and achievement of transparency and accountability in the administration of public funds.

4. The Legislative/Assembly Library should be equipped with relevant books, journals, magazines and internet connectivity for information gathering, research by both Legislators and supportive Staff, which will go a long way in improving their performances.

5. The newly established Assembly Service Commission should be given the independence to employ qualified supportive Staff and discipline erring Staff without interference from the legislators. This will create room for the employment of credible and committed Officers to effectively support the Legislators in their work.
6. The Legislature should be granted financial independence from the executive otherwise with its infancy status in Nigeria today and the minimal level of experience, the legislature could be manipulated by the executive and be reduced to a mere appendage of the executive.
7. Increased utilisation of supportive Staff, especially the budget and planning Staff in budget scrutiny, monitoring of budget implementation and oversight functions would ginger up supportive Staff to go into research and data collection for legislative duties.
8. Staff motivation in terms of improvement in salary wages and allowances, bonuses and promotions when due could encourage supportive Staff to be more dedicated to their work, thereby enhancing the performance of the legislature.

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APPENDIX 1

QUESTIONNAIRE

Introduction

The researcher, a postgraduate student of the Department of Public Administration, Ahmadu Bello University, Zaria is currently carrying out a research on the topic “Role of the legislature in policy making process” with specific reference to budgetary process and a case study of Kaduna State House of Assembly between the years 1999 and 2003.

The research forms an essential part of my work towards award of Masters Degree in Public Administration (MPA).

This questionnaire is therefore only meant to test the stated hypotheses to obtain result for analysis of the research topic. Information given will be solely used for the purpose of this research and will be treated confidentially.

Please tick appropriately the options in the Questionnaire and comment where applicable.

Section I is for Honourable Members, whereas Section II is for relevant supportive Staff.

Thank you for the anticipated cooperation.

Yours faithfully,

MARCUS M. KOGI.

SECTION I

(a) Personal Data:

1. Age _____

2. Highest Educational Qualification

   (a) SSCE/GCE/WASC/GII ( )

   (b) Certificate ( )

   (c) OND/NCE/ADPA ( )

   (d) Degree /HND ( )

   (e) PGD ( )

   (f) Masters ( )

   (g) Ph D ( )

3. Number of times elected into the Kaduna State House of Assembly.

   Once ( ) Twice ( )

(b) General:

1. Do you consider democracy and its structures, weak in Nigeria?

   Yes ( ) No ( )

2. Do you agree that long Military Rule in Nigeria is responsible for the weak democratic structures?

   Yes ( ) No ( )

3. Would you consider the Legislature an infant arm of Government in comparison to the Executive and Judiciary which have been in existence even under Military Rule in Nigeria? Yes ( )

No ( )

4. Are Legislators in Kaduna State involved in budget making process?

Yes ( ) No ( )

5. If yes, at what stage(s) of budget making process are you involved?

(a) Budget formulation ( )

(b) Budget preparation ( )

(c) Budget authorization / passage ( )

(d) Monitoring of budget implementation ( )

(e) All of the above ( )

6. Do you agree that budget or appropriation bills passed by the House, incorporate government's policies and programmes?

Yes( ) No ( )

7. Did you have previous knowledge on budgetary process before you became a Member of the Kaduna State House of Assembly?

Yes ( ) No ( )

8. Have you had any training or workshops on budgetary process apart from the induction course you had just before your inauguration?

   Yes ( ) No ( )

9. How often do the standing House Committees go on tour to monitor budget implementations by the Executives?

   (a) Quarterly ( )

   (b) Twice a year ( )

   (c) Once a year ( )

   (d) Not fixed ( )

10. To what extent have legislative oversight functions improved transparency and accountability in budget implementations in Kaduna State?

   (a) To a greater extent ( )

   (b) To a great extent ( )

   (c) To an extent ( )

   (d) Fairly achieved ( )

11. How would you consider the level of involvement of Legislators in budgetary process in Kaduna State?

   (a) Deeply involved ( )

   (b) Involved ( )

(c) Fairly involved ( )

(d) Not involved ( )

12. How do you consider the level of independence of the Legislature from the Executive in budgetary process?

(a) Very independent ( )

(b) Fairly independent ( )

(c) Not independent ( )

(d) Don't know ( )

13. In your own view, how can the involvement of legislators in budget making process be improved in Kaduna State, considering its importance for good governance, development and general wellbeing of the Citizenry?

_____

_____

_____

_____

SECTION II

(a) Personal Data:

1. Age _____

2. Highest Educational Qualification

   (a) SSCE/GCE/WASC/GII ( )

   (b) Certificate ( )

   (c) OND/NCE/ADPA ( )

   (d) Degree /HND ( )

   (e) PGD ( )

   (f) Masters ( )

   (g) Ph D ( )

3. Department _____

4. Rank _____

5. Year of employment _____

(b) General:

1. Is your discipline related to budgetary?

   Yes ( ) No ( )

2. Did you have previous knowledge on budgeting or budgetary process before your appointment as staff of the Kaduna State House of Assembly? Yes ( ) No ( )

3. Have you had any training or workshop on budgeting or budgetary process since you joined the Legislature?

   Yes ( ) No ( )

4. Are you involved in the scrutiny of budget or Appropriation Bills submitted to the House by the Executive?

   Yes ( ) No ( )

5. How would you assess the involvement of supportive staff in the scrutiny of draft budgets up to their passage by the House?

   (a) Deeply involved ( )

   (b) Involved ( )

   (c) Fairly involved ( )

   (d) Not involved ( )

6. Do you go on tours with Legislators in the monitoring of the implementation of the programmes or projects approved in the budget? Yes ( ) No ( )

7. If yes, how often is this done in a year?

   (a) Not often ( ) (b) Once a year ( )

(c) Twice a year ( ) (d) not fixed ( )

8. Would you say that the House of Assembly library is adequately equipped with relevant books, journals and magazines to enhance legislation? Yes ( ) No ( )

9. Is the Kaduna State House of Assembly Complex connected to the internet? Yes ( ) No ( )

10. In your own opinion what are your recommendations to the House for the improvement of he level of involvement of the Legislature in budgetary process?

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_____