

**PHD THESIS**

**LEGISLATOR-CONSTITUENCY RELATIONS AND  
THE CONCEPT OF REPRESENTATION IN NIGERIA:  
THE CASE OF THE CONSTITUENCY  
DEVELOPMENT FUND**

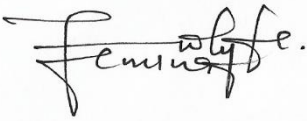
by

**Jemina Fabiawari Benson**

**Institute of Advanced Legal Studies, University of London.**

## DECLARATION

I *Jemina Fabiawari Benson*, declare that the PhD thesis entitled “Legislator-Constituency Relations and the Concept of Representation: A Case of the Constituency Development Fund” has been written by me, and is the product of my own work. This thesis contains no materials that has been submitted either in whole or in part for any other degree or professional qualification except as specified. Any previously published materials that is used has been duly acknowledged.



Jemina Fabiawari Benson

23<sup>rd</sup> September 2018

Date

## **ABSTRACT**

This thesis takes up the normative question of representation and argues that for representation to be effective legislators must act in the interest of their constituents. It approaches the question of representation by presupposing that substantive acts of representatives done on behalf of constituents is important in assessing whether representation is taking place or not. It challenges the concept of representation that focuses only on the conferment of office through elections and demands that representative acts which considers and includes citizen participation be used to judge representation. It demonstrates this by analysing the Constituency Development Fund (CDF) which was introduced by a government policy designed to promote and support the activities of representatives and offers insights into the reasons for lack of effective representation in Nigeria. The empirical findings in the research reveals that the lack of understanding of what it means to represent, on the part of both the representatives and the constituents, coupled with institutional features that do not foster accountability, affect effective representation in Nigeria. Other factors working against effective representation are the issue of non-participation of the constituents in matters that affect them directly and distant connections that exists between the representatives and the constituents.

Apart from having in place institutional features that would enhance the relationship between the representatives and the constituents, institutions through which the representatives' act needs to be strengthened by enacted laws that would make it binding on representatives to act in acceptable manner. Rules of ethics and responsibility can also define acceptable behaviour for representatives in the course of their acting on behalf of constituents. This can overcome some of the barriers and contribute to effective representation in Nigeria.

## **ACKNOWLEDGEMENT**

I thank the God Almighty for giving me the opportunity and granting me the grace to undertake and complete this programme. Also, this thesis was made possible as a result of the dedicated support of my supervisors Dr. Constantin Stefanou and Dr. Maria Moumouti. They were both able to motivate and carefully direct me on how to complete it successfully. I am so grateful for their thoughtful inputs and guidance throughout the process. I would like to use this opportunity to thank them immensely. My sincere gratitude also goes to Professor Spiros Miniatis and Dr. Richard Nzerem my examiners, who took the time and effort to ensure they go through every part of my work. I appreciate your feedback that enabled me bring this work up to standard.

To my family, Dad, sisters and relations thanks for your thoughts and continuous prayer. My friend Mrs. Charles, thank you for your support and believe in me.

Finally, I want to specially thank my husband Col. Raphael Benson for your love, support and encouragement throughout this process. My children, Vanessa, Gabriel and Bill, you have all contributed in one way or the other in making this dream come through. I appreciate all the sacrifices. You all stood behind me through thick and thin and for that I dedicate this work to you.

## **TABLE OF CONTENTS**

### **OVERVIEW OF THE THESIS**

A.	Introduction	11
B.	Scope and Justification of the Study	15
B.1.	Why the Constituency Development Fund	18
C.	Significance of the Research	20
D	Hypothesis and Methodology	21
D.1	Hypothesis	21
D.2	Methodology	22
E.	Thesis Outline	25

### **CHAPTER 1 - THE CONCEPT OF REPRESENTATION**

1.1	Introduction: Early Conception of Representation	30
1.2	Representation in Nigeria: the Different Phases	33
1.3	Theories of Representation	36
1.3.1	Models of Representation	41
1.3.1.1	Representatives as Trustees	42
1.3.1.2	Representatives as Delegates	42
1.3.1.3	Responsible Party Model	45
1.3.2	Discussion and Relevance to Nigeria	47
1.4	Representation as Acting for Others: Interests and Responsiveness	49
1.4.1	Interests	51
1.4.2	Responsiveness	53
1.4.3	Representation and Allocation Responsiveness	56
1.4.4	Problems of Heterogenous Community	57
1.4.5	The Will to Represent	59
1.5	Conclusion.	59

### **CHAPTER 2 - UNDERSTANDING THE CONCEPT OF REPRESENTATION**

2.1	Introduction	63
2.2	Formalistic View of Representation	68
2.3	Descriptive View of Representation	69
2.4	Symbolic View of Representation	73
2.5	Substantive View of Representation	75

2.6 Applying the forms of Representation in Nigeria	80
2.7 Analysis	86
2.8 Conclusion.	89

### **CHAPTER 3 - THE ROLE OF LAW, ETHICS AND RESPONSIBILITY IN REPRESENTATION**

3.1 Introduction	92
3.2 Why Rules of Representation	93
3.3 The Role of Law in Representation	94
3.3.1 The Position of Natural Law	95
3.4 The Role of Ethics and Responsibility in Representation	99
3.4.1 Can Representatives be Ethically Responsible?	103
3.4.1.1 Individual Ethics vs Institutional Ethics	105
3.4.2 The Ethics of Accountability	108
3.5 The Virtue of Trust in Representation	109
3.6 Discussion and Way Forward	112
3.7 Conclusion	116

### **CHAPTER 4 - REPRESENTATION AS A CONSTITUENCY SERVICE**

4.1 Introduction	119
4.2 Overview of the Constituency Development Fund	121
4.3 Cross Country Experiences	124
4.4 Conceiving the CDF as a Tool of Representation	128
4.5 Legislators Activities and the use of the CDF	134
4.5.1 North Central - Kwara State	136
4.5.2 North East - Gombe State	137
4.5.3 North West – Kano State	139
4.5.4 South East – Enugu State	140
4.5.5 South South – Delta State	142
4.5.6 South West – Lagos State	143
4.6 Considering Constituency Preference	146
4.7 An Empirical Study of the CDF as a Tool of Representation	151
4.7.1 Summary of Responses and Findings	153
4.7.1.1 Linkage with Constituents	155
4.7.2 Views on the use of the CDF	157

4.8	Analysis	162
4.8.1	Sustainability of the Policy	165
4.9	Conclusion	166

## **CHAPTER 5 - REPRESENTATION AND CITIZEN PARTICIPATION**

5.1	Introduction	169
5.2	Definition of Citizen Participation	170
5.3	Function of Citizen Participation and How it Helps Representation	175
5.4	Methods employed to Include Citizen Participation	180
5.5	Assessing Citizen Participation	181
5.6	Citizen Participation in the CDF and its Impact on Representation	184
5.7	Analysis	188
5.8	Conclusion	191

## **CHAPTER 6 - REPRESENTATION AND INSTITUTIONAL DESIGN**

6.1	Introduction	194
6.2	Size of Constituency District	196
6.3	Length of Term	199
6.4	Resource Availability	205
6.5	Strength of Leadership	209
6.6	Rules Governing Election	211
6.7	How Institutional Design Can Preserve Citizens Interests	216
6.8	Explaining Variation in Institutional Effects on Time Spent on Substantive Representation	218
6.9	Conclusion	221

## **CHAPTER 7 - FINAL CONCLUSION**

7.1	Introduction	227
7.2	Outline of the Research	227
7.3	Findings in Relation to the Hypothesis	232
7.4	Implication	235
7.5	Recommendations	236
7.5	Future Research	236
7.6	Conclusions	237

## **REFERENCES**

## LIST OF TABLES

<b>Table 1.1</b>	Showing the Federal Constituencies and their geo-political zones.
<b>Table 4.1</b>	CDF Design Elements impacting the Degree of MP control.
<b>Table 4.2</b>	2016 Zonal Intervention Projects and Zones.
<b>Table 4.3</b>	Showing primary focus of representation: Legislators and Constituents views.
<b>Table 4.4</b>	How Members and Constituents maintain contact.
<b>Table 4.5</b>	Showing constituents connection with representatives.
<b>Table 4.6</b>	Showing knowledge of CDF.
<b>Table 4.7</b>	Showing constituents' participation in project decision.
<b>Table 4.8</b>	Evaluation of Legislator's work in their constituency.
<b>Table 5.1</b>	How constitutional design affects time spent on constituency activities.



## **LIST OF FIGURES**

- Fig 1.1:** Nigerian Map of Electoral Constituency Showing the Six geo-political zones.
- Fig 4.1:** CDF Project Status 2010
- Fig 4.2:** Zonal Intervention Project and Allocation
- Fig 4.3:** 2017 Constituency Project Allocation by State
- Fig 4.4:** Map of Nigeria showing selected states from each geo-political zone
- Fig 4.5:** Status of CDF Projects in Kwara State
- Fig 4.6:** Sample of CDF Projects in Kwara State
- Fig 4.7:** Status of CDF Projects in Gombe State
- Fig 4.8:** Sample of CDF Projects in Gombe State
- Fig 4.9:** Status of CDF Project in Kano State
- Fig 4.10:** Sample of CDF Projects in Kano State
- Fig 4.11:** Status of CDF Projects in Enugu State
- Fig 4.12:** Sample of CDF Projects in Enugu State
- Fig 4.13:** Status of CDF Project in Delta State
- Fig 4.13:** Sample of CDF Projects in Delta State
- Fig 4.15:** Status of CDF Projects in Lagos State
- Fig 4.16:** Sample of CDF Projects in Lagos State
- Fig 4.17:** Miller and Stokes connection between a constituency attitude and representative roll call behaviour

## **LIST OF ACRONYMS**

APC -	All Progressive Congress
BPFA -	Beijing Declaration and Platform for Action
CDF -	Constituency Development Fund
ERSWEC -	Economic Recovery Strategy for Wealth and Employment Creation
FCT -	Federal Capital Territory
FOI ACT -	Freedom of Information Act
ICCPR -	International Convention on Civil and Political Right
INEC -	Independent National Electoral Commission
LGA -	Local Government Area
MDG -	Millennium Development Goal
MMD -	Multi Member District
MPLADS -	Member of Parliament Local Area Development Scheme
NBSN -	National Bureau of Statistics
NGO -	Non Governmental Organisation
OSIWA -	Open Society Initiative for West Africa
SMD -	Single Member District
UDHR -	Universal Declaration of Human Right
ZIP -	Zonal Intervention Project

## OVERVIEW OF THE THESIS

### A. Introduction

In determining the role of the legislature, representation has become a vital and indispensable element in any democratic political system.<sup>1</sup> This relates to how citizens in a defined constituency choose from a range of candidates who are also from that constituency and elect them to the legislative arm of government to represent their interests. In the performance of this function, the legislators connect the people to the government in special ways.<sup>2</sup> They are expected to act in a way that meets the expectations of the voters. What they do and how they do it has assumed a significance that political scientists can no longer ignore. It is now considered by political theorists as a factor in determining the democratic nature of the legislative arm of government in particular and the society as a whole.<sup>3</sup>

Traditionally, the representative function of legislators depends largely on what they make of it and what the constituents expect. There is no formal or definitive job description for legislators.<sup>4</sup> The institutions that create the idea of political representation tend to leave the judgement of what constitutes representation to the representatives themselves.<sup>5</sup> As a result of this, we see continuously cases where the representatives fail to achieve the ideal. Situations often arise where the conduct of political representatives fails to meet any plausible account of representation, yet they are said to represent.<sup>6</sup> This raises the question as to whether these elected representatives work in the interests of constituents or for their own personal interests.<sup>7</sup>

Concerns like this have given rise to a series of studies about the legislature, analysing its role from various perspectives.<sup>8</sup> An important aspect of this is the empirical examination of the acts of members of the legislature and the relationship with their constituents.<sup>9</sup> Miller and Stokes in their analysis of constituency influence in the American congress define representation as

---

<sup>1</sup> Philip Norton, *Parliaments and Citizens in Western Europe*, (Vol 3, Frank Cass London Portland OR 2002) 3.

<sup>2</sup> G. Loewenberg and S.C. Patterson, *Comparing Legislatures*, Toronto (Little Brown and Co 1979) 167.

<sup>3</sup> Suzanne Dovi, *The Good Representative*, Wiley-Blackwell (2012) 4-6.

<sup>4</sup> Norton (n 1) 20.

<sup>5</sup> Scot Brenton, 'Representative Role and Responsibilities', Parliament of Australia (2015) 1 [www.aph.gov.au](http://www.aph.gov.au) Accessed 11th August 2015.

<sup>6</sup> Dovi (n 3) ix.

<sup>7</sup> Ibid 131.

<sup>8</sup> Norton (n 1).

<sup>9</sup> Malcolm Jewel, 'Legislator-Constituency Relation and the Representative Process' *Legislative Studies Quarterly*, Vol 2 No 3 (1983) 303-33; Jane Mansbridge, 'Rethinking Representation', *the American Political Science Review*, (Nov.,2003); Michael Saward, 'The Representative Claim', *Contemporary Political Theory* (2006); Andrew Rehfeld, 'Towards a General Theory of Political Representation', *The Journal of Politics*, Vol 68, No 1 (Feb. 2006) 1-21.

‘responsiveness’.<sup>10</sup> Following this definition, Pitkin defines representation to be how representatives ‘act in the interests of the represented in a manner responsive to them’.<sup>11</sup> Further studies have taken this acting for others in a broader sense to include ‘allocation responsiveness’<sup>12</sup> (this is the advantage and benefits in terms of development projects that representatives are able to obtain for those they represent). This broad view of representation encourages focus on the activity of the representatives and throws more light on the individual legislator’s style of representation. It also explores the obligation that the legislator has towards constituents.

In line with the above view of representation, this thesis will attempt to examine how legislators actually ‘represent’. The approach is to investigate the actions of the legislators to see if and in what ways they take the constituents’ interests into consideration and if they are responsive to their preferences in the course of representing them. This is done by juxtaposing normative models of political representation with empirical evidence, i.e. the reality of citizen participation and interest consideration. Also, I examine the Constituency Development Fund (CDF), which is a government policy dedicated to allocating development projects to constituencies. Although this approach may be applied to other similar policy areas, this research focuses on this specific policy area. The aim is to suggest better models of representative processes that will provide a deeper understanding of the forces that drive constituency interests in Nigeria.

Generally, political literature analyses the concept of representation making it subject to various interpretations. These interpretations are often based on formal mechanisms that are more interested in voting systems.<sup>13</sup> Although, they agree that democratic institutions must be representative for democracy to work,<sup>14</sup> they often fail to offer guidance on how representative actions are structured to improve representation. Political actions not only demand adequate assessment of the context of actions: it will often, though not necessarily always aim at the realisation of a certain ideal. Hence, the focus of this research will be on the substantive actions of representatives. Bearing in mind that in politics, policy decisions and implementations are

---

<sup>10</sup> Warren Miller, Donald Stokes, Constituency Influence in Congress, *The American Political Science Review* Vol 57, Issue 1, (March 1963) 45-56, [www.jstor.org](http://www.jstor.org). Accessed 17 June 2016.

<sup>11</sup> Hannah Pitkin, ‘The Concept of Representation’ University of California Press, Berkeley and Los Angeles California (1967) 205.

<sup>12</sup> Heinz Eulau & Paul Karpis, ‘The Puzzle of Representation: Specifying Components of Responsiveness’, *Legislative Studies Quarterly* Vol 2, No 3 (Aug. 1977) 242-245 [www.jstor.org](http://www.jstor.org) accessed 2nd Oct 2015.

<sup>13</sup> Stephen Coleman, *Direct Representation: Towards a Conversational Democracy*, ippr exchange (2005) 1.

<sup>14</sup> Dovi (n 3) 1.

usually not the outcome of an abstract entity acting alone, but of a collective decision-making process performed by individuals who are expected to act in line with the interests of those they represent. It is assumed that representation occurs when a representative's action reflects and responds to constituents' expressed preferences.<sup>15</sup>

Thus, by merely defining conditions whereby someone becomes a representative and those conditions that make them legitimate, we are unable to explain whether the act of representation is taking place. The question about what qualifies an act to be representing or not representing is important if we must have an understanding of the concept and make representatives act in line with it. This will enable us to look closely at how representative acts are made, received and judged.<sup>16</sup> Therefore, by focusing on the substantive acts of legislators, their individual efforts and the skills they have brought to the job can be seen and how they perform their constituency role taking the preferences of their constituents into consideration becomes clear and measurable.

The reason this approach is taken is that, generally there is an impression of remoteness of elected representatives to the real issues that plague those they claim to represent.<sup>17</sup> This behaviour resonates with political theorists like Seward who feels the need to question the received ideas of political representation, as merely elections alone and as such conferring representativeness or implying representation.<sup>18</sup> Another reason for this renewed attempt is the rise in deliberative trend in democratic theory in recent years which places emphasis on who, where and how deliberation is taking place.<sup>19</sup> This normative controversy about representation, which rejects the concept as a zero sum game where one is elected and as such becomes a representative, raises the awareness that leads us to revisit the acts of members of parliament. This will enable us to see the modes and styles of representation and make sense of its remoteness or inadequacy.

Subsequently, the thesis offers a definition of representation, which stresses the creative aspects of representation as well as the institution that underlines it. It is an important way for the act of representation to be conceived as political inclusion of the represented. Since it is not easy

---

<sup>15</sup> Dovi (n 3)1.

<sup>16</sup> Saward Michael, 'The Representative Claim', *Contemporary Political theory* 5(3), (2006) 298.

<sup>17</sup> Ibid 299.

<sup>18</sup> Ibid.

<sup>19</sup> Nadia Urbinati, *Representation as Advocacy: A Study of Democratic Deliberation*, *Political Theory* Vol 28 No 6 (2000) 758-786 [www.jstor.org](http://www.jstor.org) accessed 2<sup>nd</sup> March 2016.

to measure legislators' efforts, the thesis will attempt an assessment of their 'actions' to determine whether or not they represent their constituents. The goods they bring to their constituents will be used as a measure of how they represent them. This will be directly attributed to the benefit that flows from them to their constituencies and how such benefit reflects the preference of their constituents. This is necessary to tell us whether representation is taking place.

Before moving on, there is need to explain that this thesis is set against a different background in the content and form of representation than the one found in western liberal democracies such as the UK or the US. Its focus is on Nigeria, where the legislators have, as part of their oversight legislative function, an additional function of deciding and allocating infrastructural projects and services to their constituency districts using a fund known as the Constituency Development Fund (CDF). This is a specific type of public spending programme that has been adopted by developing countries including Nigeria. The CDF as a policy tool dedicates public money to benefit specific political subdivisions through the allocation or spending decisions influenced by legislators in the Parliament.<sup>20</sup> It allocates budgetary resources on services and infrastructure in constituencies as part of a wider local decentralisation and development policy.<sup>21</sup> The need to ensure equitable and even distribution of development projects which will bridge the gap of the infrastructural deficit and make government presence felt especially in the rural areas forms the crux of this initiative. The legislators whether as full implementers or coordinators of this programme are meant to carry out this function in the ordinary course of their representative role to their constituents and in performing this role, there are important linkages between the legislators and the constituents. These linkages are meant to bring the legislator's actions closer to their constituents' preferences<sup>22</sup> and this to a large extent depends on representation.

One important factor to note in the performance of this function by the legislators in Nigeria is that, although generally the CDF tends to have certain guidelines which amongst other things include the participation of the local population in the choice of infrastructure to be delivered in their constituency, legislators are not compelled by any law to follow these guidelines. The

---

<sup>20</sup> Mark Baskin, Parliamentary Function: A Core Function, Centre for International Development, Rockefeller College University at Albany, State University of New York, (April 2013) [www.suny.edu](http://www.suny.edu), accessed 14<sup>th</sup> April 2016.

<sup>21</sup> Social Accountability and You, [www.sayzambia.org](http://www.sayzambia.org) accessed March 2016.

<sup>22</sup> Jane Mansbridge Adams Representation Revisited: Introduction to the case against accountability, Democracy and Society Vol 2, (2004)155.

operation and implementation of this policy initiative tend to be done at the discretion of the individual legislator. This control of the CDF is based on the premise that: they want to ensure project delivery in the face of ineffective development in the constituency districts by bypassing central bureaucracies and responding directly to concrete demands from their constituents.<sup>23</sup> Hence, the function is mainly considered as a constituency work. In choosing the CDF as a case study, this thesis examines how representatives engage in constituency work and tries to see to what extent they perform the role of representing constituents by taking their preferences into consideration.

As noted above, the CDF is not peculiar to Nigeria alone; it is found in other countries and likened to the “pork-barrel” or “earmarks” in the United States.<sup>24</sup> The practice was first adopted in India but gained prominence when Kenya established a CDF in 2003. Due to its success in Kenya, the practice has spread to other African countries.<sup>25</sup> Presently, about 23 other countries in Africa operate the CDF<sup>26</sup> mostly by the same mechanism and name. However, the degree to which these funds are controlled by legislators and the extent to which local citizens participate in them vary from one country to the other.<sup>27</sup>

## **B. Scope and Justification of The Study**

The main aim of this thesis is:

- i. To explore representation as an activity through a better understanding of the meaning of representation and how the acts of representation should be performed.
- ii. To apply the technique, theories and concept of representation as an activity to the empirical case of the implementation of the Constituency Development Fund.
- iii. To use this concept of representation as an activity to evaluate the form, content and purpose of representation in Nigerian politics and the institutional framework that guides it.

---

<sup>23</sup> Gerald Mabveka, Constituency Development Fund: The Case of Public Procurement Fund Adherence in Malawi (2017) 3.

<sup>24</sup> Both terms are used interchangeably in the US. It is a process where legislators obtain funding from a central government to finance projects that benefit the legislator’s local constituents.

<sup>25</sup> Constituency Development Fund: Scoping Paper, International Budget Partnership, Open Budgets. Transform Lives, Jan (2010) 5.

<sup>26</sup> Micah Challenge, Constituency Development Fund Transparency in Grassroots development or Political Patronage, [www.tilztearfund.org](http://www.tilztearfund.org).

<sup>27</sup> A van Zyl, What is wrong with the Constituency development Fund? International Budget Partnership Open Budget Transforms Lives (2009) [www.internationalbudget.org](http://www.internationalbudget.org).

Throughout the thesis, key ideas of representation as an activity is developed. It is also suggested that engaging citizen participation is an effective way of representing their interests. Examination of the concept of representation is taken from the perspective of the individual legislator by inquiring into their representational performances as against the institution itself. In order to give a better explanation of the responsive specialisation of legislators and get the essence of political representation in Nigeria, the research will be confined to democratically elected representatives in the National and State Assemblies.

The thesis examines the legal and institutional framework underlining representation in Nigeria with a view to ascertaining the extent to which the failures of representation is founded on them. One important element in the examination of the institutional framework is the design of the institution itself - features and characteristics that are inherent in the system – are examined to see whether they facilitate or hinder representation. Also, the power of the regulatory authority to make implementers of programmes comply with their policy thrust is important. The extant laws which back the CDF are examined to determine whether they support effective citizen participation and accountability that would foster proper representation of constituents.

In trying to explore the obligation representatives have towards constituents, this thesis examines the adherence of the representatives to the principles of law and ethics in the course of acting on behalf of citizens. These principles are upheld by democratic institutions and advocated so that those who act through them will act according to their rules. It is argued that adherence to these principles enables representatives to be more focused on constituency needs and interests. For this reason, the strengthening of democratic institutions as a guiding criterion for optimal government intervention is an important element in this thesis. If the implementation of government policies like the CDF is to be on point, then the institution needs to be structured to affect the outcome of the policy process to provide better workable models of representation. The representatives need to uphold the legitimacy of the institution and this can be done by their acts of representation.

Furthermore, this thesis critically examines the relationship between the representatives and their constituents, as this is a pre-condition for understanding how representatives are able to represent constituents' interests. The ability of the legislators to engage effectively with constituents and act according to their preference is examined. This ability has implications on how the representatives represent their constituents and tells us whether or not they represent



well. Of course, to make a reasonable assessment of the representatives' ability to represent well, there is need to determine whether there are guidelines. It is realised that without institutions giving proper guidance representation is empty. This guidance helps in the insertion of culturally ingrained standards as conduct which can be used as criteria for the measurement of an individual legislator's action to determine how they are capable of looking after the interests of others in a responsive manner. By studying the effects of these factors, to determine whether the lack of representation is based on them, this study aims to offer new insights to a clearer understanding of political representation both at the local community level and the national level in Nigeria.

The theoretical background of the research relies on Pitkin's definition of representation as an activity, which presupposes that citizens elect members of the legislature for the purpose of defending and pursuing their (citizens') interest.<sup>28</sup> Under this view, representatives are meant to act in a manner which ensures that there isn't a conflict between them and their constituents. They must try not to be at odds with the wishes of constituents and they ought to consult the people to get their wishes and opinions, which are the interests they are able to define in matters that affect them.<sup>29</sup> I draw out two key ideas from Pitkin's definition, of representation which suggests that representation should be in the '*interest*' of the represented and in a manner '*responsive*' to them. These key ideas provide a basic conceptualisation of how representative acts should be performed. The inclusion of these two concepts make the activity of representation to be executed in a particular way. Representatives are also self-aware of the cause and effect of their action and this in effect marks it out as representing well or not. Put in a more explicit form, representation ought to be in line with the *interests* of constituents and by being *responsive* the acts of the representative must be in line with the preferences of the constituents – which may not necessarily be those of the representative. Consequently, this means that, selection of choices ought to be made after proper evaluation of constituents' preferences and the collective impact of the policy by aggregating the effects on the constituent's welfare and not based on the notion of what is good for the society on the grounds of the moral reflection of the individual legislator.<sup>30</sup> For this to be in place, an increase in popular deliberation and proper linkage, which is literally contact between the legislators and their constituents, is a requirement for political representation.

---

<sup>28</sup> Pitkin (n 11) 209.

<sup>29</sup> Ibid.

<sup>30</sup> Pitkin (n 11) 209.

In taking this view, I conceive representation to be an accountable aggregation of interests.<sup>31</sup> Citizens are able to see the acts of representatives and evaluate them on these acts and representatives become accountable to them. Representatives are held accountable so that they can be responsive to the interests of constituents and that obligation is implicit in their position as legislators. If representatives know that they will be held to account for what they do, they are most likely to act responsibly towards those who would hold them accountable. Hence, the need for democratic societies to select systems of representation that favours direct participation and continuous communication between the representative and the represented. This is what will give a better account and an understanding of how the role of democratic representation can be realised.

### **B.1** *Why the Constituency Development Fund?*

The CDF offers a suitable case study of how legislators in Nigeria are able to represent constituents by their individual acts. It is small in scope and the location of action is in their constituency districts. It involves direct interaction between representatives and constituents and the allocation of projects that are of benefit to the community lies at the heart of the initiative. It therefore, lends itself to an evaluation of how local interests are taken into consideration in representative actions and the impact of such actions on constituents can be seen. The fact that it captures the substantive actions of the legislators in Nigeria suggests that it can tell us the extent to which they use this policy initiative to represent the needs of constituents.

Generally, the potential for legislators to act independently is relatively limited as a result of certain influences like party and other ties in the political system. For this reason, there are few observable policy avenues in which they do anything other than toe the party line.<sup>32</sup> However, with the CDF, legislators have substantial control over the distribution and application of the funds and this makes it a critical driver for legislator-constituency linkage. This means that, the CDF is an opportunity for legislators in Nigeria to show active constituency focused behaviour.

---

<sup>31</sup> By this, I mean democratic standards that can be used to distinguish the actions of representatives and hold them to account.

<sup>32</sup> Soroka, Stuart N, *Opinion Representation and Policy Feedback Canada in Comparative Perspective*, Canadian Journal of Political Science, (2004) 563.

Despite this incentive, critics have raised doubts about the use of this policy to meet constituency needs.<sup>33</sup> They have argued that legislators in their performance of this function have undermined the interests of constituents to choose projects that would meet their developmental needs. This has led to duplications and citing of projects that are not far-reaching enough to meet the needs of the constituents, thereby going contrary to the purpose for which the CDF is established.<sup>34</sup> The weakness in the implementation of this policy may be because there are discrepancies between the constituency preferences and the actions of the legislators. This brings to question the ability of the legislators to represent.

Another reason why the legislator may not have fared considerably well in the implementation of this programme could be because, among other things, there seem to be a lack of understanding about what it means to represent. This argument is based on the assumption that there is an improper perception of the role orientation of legislators and the articulation of interest and preferences of constituents. This could be as a result of status difference between the representatives and the constituent.<sup>35</sup> This conclusion is reached because a general observation of the relationship between representatives and constituents finds that, the representatives seem to be the ones giving direction rather than the constituents.<sup>36</sup> This paradox raises a tension that needs to be dealt with before progress can be made as to what a representative character should be.

Overall, the effectiveness of representation is what is considered. Rehfeld argues that representation is always in service to some purpose or function, it is not just 'had' merely to stand for another, it must perform a specific function,<sup>37</sup> which is to act for citizens. If the goal for which it is had is not achieved through the actions of representatives, then such an act is intrinsically inauthentic. With the CDF, legislators among other things that they do are meant to bring in development projects and services that would address the needs of their constituencies. How well they do this determines the extent of their representation. The specification of function is used to generate substantive evaluative criteria with which to judge their representative acts and to evaluate how they are able to negotiate the future success or

---

<sup>33</sup> O. O Orimogunje, Legislative Constituency Project in Nigeria: A Matter of Constitutionality or Political Expediency? *Journal of Law Policy and Globalisation* Vol 41 (2015) [www.iister.org](http://www.iister.org).

<sup>34</sup> Zyl (n 27).

<sup>35</sup> J L Stocks, 'Philosophy', Vol 6 No 24, Cambridge University Press on behalf of Royal institute of Philosophy, Cambridge University (Oct 1931) 406.

<sup>36</sup> Pitkin, (n 11) 210.

<sup>37</sup> Andrew Rehfeld, 'Towards a General Theory of Representation', *The Journal of Politics* Vol 62 No 1 Feb (2006) 219 [www.jstor.org/stable/3449602](http://www.jstor.org/stable/3449602).

demise of representation based on the decisions that they make. So, evaluating a particular action to determine whether it counts as representation is important.

### **C. Significance of the Research**

The significance of this research rests on its originality in the sense that there is limited research in the area of representation as an activity in Nigeria. As a result of this, very little is known about the scope of representative acts and this research covers this gap. The research also has significance in both the academic and the political world. It contributes to the literature on political representation in Nigeria when looked at from the substantive sense and through the actions of the representatives. It suggests better models of representative processes that will provide deeper understanding of the forces that drive constituency interests. By focusing on the allocation of developmental projects, such as the CDF, which aims to bridge the gap in infrastructural development in local communities, it brings to the fore the challenges of political representation in an area which has not benefited from much research.

The fact that this research is centred on a policy issue that is already a subject of public debate will help to guide the policy direction of the CDF in the future. It will enable an evaluation of the CDF policy as it is implemented in Nigeria with the aim of revamping it to make it more effective and efficient in meeting the expectation of policy makers. Also, the importance of this is seen from its implication on how the CDF can be used as a veritable instrument to bring about development in local communities. This can be achieved by emphasising accountability and the inclusion of the people in matters that have direct and lasting effect on them.

Apart from giving an insight about the citizens and how they perceive the legislative arm of government, the study shows how legislators are linked with their constituents. In another sense, it also contributes to a way of promoting representative democracy in Nigeria by analysing the factors that affect representation and making suggestions that guide policy makers in the proper act of representation which can be achieved through the representative behaviour of the legislators. The study adds to the literature on how representative acts can be evaluated and their impact measured in order to determine effectiveness because it looks at tangible acts of the representatives. It provides models that offer better understanding of political representation (that brings about a sense of inclusion of the people to their government) in Nigeria.

## **D. Hypothesis and Methodology**

### **D.1 Hypothesis**

The hypothesis of this research is that: for representation to be effective, legislators have to represent in a manner responsive to the interests of constituents. This hypothesis leads to a sub hypothesis which is: the lack of understanding of what it means to represent could account for why legislators fail to represent. I define representation as an activity and this will bring to light the obligation of representatives and how they can be held accountable to ensure better representation of constituents.

Pitkin's theory of representation is used to test this hypothesis and to analyse representative acts. The legislators' perception of their constituents, how the constituents exert their preferences and how their demands are articulated and transmitted, including how those demands are received and acted upon will be examined to determine the desire of legislators to represent. This information will be gathered during the survey stage of this research. In the context of determining how the concept of representation is understood, the question as to whether the prevailing legislator-constituency relations allows citizen participation and require legislators to be more focused, transparent and accountable will be examined. This has bearing on the linkages between legislators and their constituents. It considers those hindrances that undermine the responsiveness of legislators to the preferences of their constituents under the CDF. It analyses how participation of citizens affects the implementation of the CDF and how the challenges of articulating constituency interests and social accountability can be met. The remaining part of the thesis looks at the legal and institutional framework and how law and ethics can be used to evaluate the responsibility of the representative and as a tool for effective representation.

The thesis is ordered following this thematic arrangement and the sub-national setting is aimed at capturing the localised effect of legislators' actions on representation offering an insight into this aspect of their function unlike what they do in the Parliament. This approach is preferred as against a cross sectional analysis that may present different inherent characteristics in different systems that may be difficult to control in the analysis.

## **D.2** *Methodology*

The study will follow a mixed method approach which will consist of desktop research and an empirical research using semi structured interviews. The desktop research will be used to analyse secondary materials such as the historical, legal and political literature on representation. It will collect existing information on the research topic in order to ascertain the form, purpose and structure of representation generally and particularly in the Nigerian context. Documents and materials in which facts about the CDF have been recorded such as press releases, published government records and directives will be used. Items published in the media and websites that are in the public domain and freely accessible will also be used. Data will be collected on the kind of constituency projects implemented by legislators from 2010 to 2017. Evidence from the National Bureau of Statistics Nigeria (NBSN), the Ministry of Finance and Budget in Nigeria and other statistical bulletins will be relied upon to get a clearer statistic of budgetary allocation that has been made with regards to the CDF to measure the extent to which the policy intentions are being met. With regards to these secondary materials, I acknowledge the fact that, due to the sensitivity of the case study, some documents may be classified and as such unavailable to the public. However, where such a document is used, I will ensure that its contents are not used in an unauthorised manner.

The qualitative field work will consist of semi structured interviews with a sample of representatives and constituents to provide an insight into the typical circumstances of the relationship that exists between them. This will establish whether there is a link between both parties and show how legislators are able to respond to constituents' preferences. The fact that there has been no study in Nigeria that has been able to get the views of both the representatives and the constituents on the same issue to see how the actions of one affect the other makes the timing of this research appropriate. This research will throw more light on the perception of both groups in the performance of this activity and this may be applied to other policy areas.

The interviews will be conducted with the aim of obtaining the perception of the interviewees from a sample of both groups on the common topic of allocation of projects under the CDF. The focus will be on the dynamics in the selection and implementation process and how these projects meet the needs of the community. The first group will be accessed from a representative sample of legislators which will consist of 10 legislators each picked randomly from two state Houses of Assembly chosen out of the pool of 36 states in Nigeria. This

constitutes about a third of the representatives in both houses that are made up of 32 members each. The two states are Lagos State and Rivers State and they are chosen because of their involvement in the CDF right from its inception. Lagos State in the south-western part of Nigeria was the first to enact the CDF law in Nigeria and has set up committees and administrative agencies in charge of the implementation of CDF. Rivers State has been implementing the CDF policy since 2010 though without any legal framework other than a directive from the Federal Government.

Interviews from this sample will provide qualitative information on the perception of legislators of what their representative role is and how they have been able to link with their constituents. The interviews will examine methods used in engaging with constituents and decide which infrastructural projects or services to be allocated in a constituency district. This linkage determines greatly how representation is to be achieved and also gives an insight into whether specific representation which is prevalent in Nigeria, serves to enhance or hinder the representation of a general kind. This will also show how it impacts on the social justice and accountability. This knowledge will give an opinion about representation and to see what implications flow from the relationship with constituents.

The second category of interviewees are the constituents. I conducted 20 interviews with this group and they were split into half between the rural dwellers (those that reside in the rural communities) and the urban dwellers (those that reside in urban communities). Participants in this sample were selected randomly but were judged based on interest to the researcher. I used a technique of purposive sampling known as the critical case sampling to get residents from the communities where it has been identified that the CDF projects are allocated. Since this is an exploratory research with limited resources, dealing with a single case, this approach can be decisive in giving the constituents' view as to how the CDF is used to represent them as the CDF operates in exactly the same way in other constituencies. It should be born in mind that, this research does not seek representativeness in order to achieve statistical generalisation, but instead it aims to explain representation by the use of empirical data. The focus therefore needs to be on participants' experience by exploring the subject area through the eyes of the participants which enables us to make logical generalisation. In addition, this sampling procedure is in line with studies using grand theory methodology. Since the goal is not a case analysis of a particular constituency, the sample to be used does not need to be large. Most of

the findings made are based not on a single constituency district, but on all the other districts in the sample.

The participants cover a wide range of occupation both skilled and unskilled. Some ‘traditional heads’ (referred to as chiefs) are included in this sample because they are often the first port of call when the representatives visit the constituency districts. The interview cut across gender but there is an age restriction of 18 years and above. The reason for this age classification is because these are the groups of people that are likely to engage with the legislators. Interviews with this group offer an insight to the extent of their participation in the allocation of projects and how interest demands are articulated and transmitted to the representatives in order for them to respond adequately to it.

To identify how representatives represent, findings from the empirical analysis compare representative acts and matched this with citizens’ preferences to see the extent to which they agree. How close they agree will depend on the relation or interaction between both parties. The investigation will examine how the former engages with the latter taking into consideration the socio-economic and socio-cultural situations prevailing in the society and finding a middle course which can be taken in advancing our understanding of the political behaviour of both parties.

In the course of the interview, participants were asked to describe their perception of representation using the CDF and the interview was conducted along the following themes:

- i. Their perception, experience and views of representation.
- ii. Their connection to representatives (whether the legislators and constituents were in touch with each other).
- iii. Their experience and views of the CDF (whether they consider it to be an effective policy).
- iv. The obstacles and barriers they perceive that hinder the implementation of the CDF.
- v. Ideas and suggestions that they think can improve the implementation of the CDF and representation generally.

Participants were contacted informally or by email and digital recording was used for the interviews which lasted about 45 to 60 minutes. The aim of the study was explained to them and they were assured about anonymity and confidentiality. A major limitation that was faced



in this research was that, generally people in Nigeria are not used to academic research of this kind so they were a bit sceptical in giving information. The sensitive nature of the research also contributes to this scepticism. However, as a parliamentary staff I was able to use my office to gain access to the right people who participated in the research. Other challenges faced while conducting the interviews were monetary and time constraint, this made it impossible to obtain a large sample.

Finally, the research has been guided by the ethical principles on research with human participants set out by the University of London and in line with the Data Protection Act 1998. All participants were duly informed about the purpose of the research and their consent obtained. Also, I have ensured that all personal data is kept safe and secure and used only for the purpose of this research and on completion of the research, all data will be destroyed.

## **E. Thesis Outline**

This thesis consists of an introduction and seven chapters. Chapter 1 examines the concept of representation in historical terms. It explores accounts of representation from ancient and medieval times and how these have fashioned modern thoughts on representation. The chapter examines a brief origin of representation and the development of representation in Nigeria. The thesis explores models of representation examining the delegate and trustee divide which explains representative behaviour to see how they conform to the wishes of the people. The responsible party model is also examined to see the extent to which the representative processes in Nigeria conforms to it. The chapter offers a framework of interest articulation and responsiveness as key components which demonstrate how representative acts should be performed. It shows how this is important in enabling an understanding of representation as an activity in which the interest of the represented is constituted. In this regard, some of the problems associated with ascertaining constituents' interests are discussed and highlights given on the acts of a willing representative.

One of the claims of this thesis is that, the lack of understanding of what it means to represent accounts for why there are failures to actually represent. In Chapter 2, in an attempt to create an understanding of representation, I explore the four different ways that the concept of representation may be used as elaborated by Pitkin. Rather than drawing a distinction between them, I point out their important interconnections. Although this model draws mainly from

substantive representation because this is where representative acts can be evaluated, the synthesis of these four makes us look at representation from the point when the person is authorised to how the activity of representation is performed. This approach captures the multiple particularities of political representation. It also offers a way to avoid viewing representation as just the formal authorisation of the representative in electoral terms, which results in a failure to question their actions and look at what sort of relationship exist between the representatives and the represented. The argument in this Chapter focuses on the need for representatives to understand what it means to represent in a democratic society. This is the framework upon which the research is anchored and it will set the pace for the research.

Chapter 3 provides an overview of the rule of law and ethical principles examining how these relate with representation. The Chapter develops a framework of how the idea of right and wrong makes representatives more focused on constituents' interests. It argues that their adherence to the rule of law and democratic principles influences their actions and determines how they act in an acceptable manner for the interests of constituents. Such actions must be guided by those rules and values that are upheld by the society. The institutions play a huge role in advocating democratic values that would guide the attitude and behaviour of not just the citizens but also the implementers of policy. There is no doubt that the choice of rules and the obligations imposed determines how behaviours will be directed towards the desired goals and how the rules will be enforced.<sup>38</sup> This chapter also addresses the question as to how institutions can include obligations that would set out the context within which representatives in the implementation of policy are expected to fulfil their mandate. It explores the extent to which the actions of representatives are based on norms and values that underlie the democratic institutions from which representatives operate.

Chapter 4 focuses on the case study, the Constituency Development Fund and its implementation. It examines the extent to which legislators are able to represent constituents in the performance of this activity. In the implementation of this policy, the understanding of function matters and so analysis of the main function is examined. Public expectations of legislators and the existing relationship and its effects on the implementation of the CDF are also examined to determine the level of transparency and openness as these are enhancers of representation. Other areas that the representative seems to be responsive to constituents are

---

<sup>38</sup> Maria Mousmouti, 'The "Effectiveness Test" as a tool of Law Reform', (2014) [www.sas-space.sas.ac.uk](http://www.sas-space.sas.ac.uk) Accessed August 2016.

examined to determine whether it poses a negative incentive to the legislators to be responsive to constituents' preferences in the implementation of the CDF. Finally, the justification of the CDF as an engine for representation is offered and in doing so the thesis argues that certain standards, which the constituents can use to determine whether legislators represent them well or not, are necessary. Constituents need to evaluate their representatives by their ability to provide infrastructural projects on the basis of the particular need of the community. In doing this, the public-economic variables determining the demand and supply of constituency service and how this relates with representation is analysed.

Chapter 5 examines the relationship between representation and participation. Here the thesis explores the extent to which representatives employ methods that increase civic participation of constituents. The function of participation and how it serves as an incentive for proper democratic representation is discussed. In the light of political inclusion, the virtue of trust building and good gatekeeping are identified as necessary elements for representatives to excel at their function of democratic representation. Equality and inequality issues are also determined, because they are important drivers in the relationship between legislators and constituents. Finally, this chapter looks at linkages between legislators and constituents and the tools that are used to achieve these linkages. The main focus here is on developing the right relationship that may foster effective representation. Thus, the problem of evaluating representative's action by citizen's participation is discussed with the position taken that representation is also a function of citizens' participation.

Chapter 6 looks at representation and institutional design, to see how various features in the institution affect the ability of the representatives to represent. Specific features are analysed to see the extent to which they serve as an incentive or a hindrance to the legislators in the course of acting on behalf of constituents. One of the points made in this chapter is that for a democratic institution to live up to its ideals it relies to a large extent on the activities of those who represent as well as the ability of the institution itself to allow them to carry out this function effectively. Those features which tend to increase their ability ought to be reinforced while those that serve as hindrance should be removed.

Finally, Chapter 7 includes the conclusions and recommendations. It returns to the question posed in the introduction and provides answers. Key findings are summarised, and some reflection is made on the theoretical and empirical implications of the relationship that exist

between the representatives and their constituents. Suggestions are made on the best possible way to improve the constituency development initiative through the process of representation in order to make it effective and efficient in meeting the needs of constituents.



# CHAPTER ONE

## THE CONCEPT OF POLITICAL REPRESENTATION

### 1.1 Introduction: Early Conception of Representation

There are varied accounts in history that inform our thinking of political representation. In cognate terms, the concept has been adapted to other usages before being seen in a strictly political context. As Saward explains, the word *repraesentare* in ancient Rome means presenting a character in theatrical terms adopted for the stage and this is the literal bringing into present something previously absent.<sup>39</sup> At the very general level, representation has been referred to in theoretical and symbolic terms as a situation in which one thing or person or body could stand for another.<sup>40</sup> In other words, an early sense of one person or body being able to speak for as well as symbolise another body of people emerged though not in the form of the represented authorising the representative.

Notions of consent underpinning the authority of political representation emerged in more recognisable forms from the Greek city states. These city states, though highly fragmented, were pre-eminent in political studies and experimentation among the philosophers of the time who were seeking the best way in which society can be ordered and organised.<sup>41</sup> Citizens as a whole known as the Assembled people were involved in the administration of the state.<sup>42</sup> Positions were distributed by lot and a person could occupy these positions only once in a life time giving an opportunity for most of the people to take part in politics.<sup>43</sup> It is worthy to note that certain people were still excluded such as children, slaves and non-natives. As such a situation where all members of the society were involved in government and in which all decisions were arrived at, a mutual unanimous agreement was still not achievable.

Over time, certain important matters of the state were not handled by the assembled people but by elected magistrates.<sup>44</sup> Though the states were small, a system of indirect democracy was in place where the assembly had to choose an electoral college who elected the officials that were in charge of the day to day functioning of the state. This procedure gave birth to representative

---

<sup>39</sup> Saward M (n 16) 5.

<sup>40</sup> Ibid 4.

<sup>41</sup> Pilkington C, *Representative Democracy in Britain Today (Politics Today)*, Manchester University Press (1997) 4.

<sup>42</sup> J.A.O Larsen, *Representative Government in Greek and Roman History*, Berkeley: University of California Press (1955) 24.

<sup>43</sup> Dahl R, *Democracy and its Critics*, New Heaven: Yale University Press (1989) 56.

<sup>44</sup> Manin B, *The Principles of Representative Government*, Cambridge University Press, 1997, 8.

democracy. The administration of the state was no longer done by the people as a whole, but by a small efficient group that represented the people.<sup>45</sup> This group of representatives could be dismissed by the Assembly. As open as the Athenian society was at the time, direct participation in government was still a selective and exclusive process. Representation in this context can therefore, be said to be a means of limiting the participation of people in direct government.<sup>46</sup> Thus, it seems strange that the term in which we describe representation in modern societies of today is far from how it was conceived in the Athenian society where it actually originated.

The middle ages saw representation in religious and other political forms due to the rise of monarchy and the Roman Catholic Church. The Catholic Church was seen as a universal political entity and the overriding value was order as laid down by God. The universe was being governed by natural law which was God's law and every citizen including kings and emperors were subjected to it.<sup>47</sup> Representation was designed to facilitate the conservation of peace and was a means of power to the Monarch.<sup>48</sup> The Monarchs represented their realm and the Pope represented the church. Each represented their own entity and tried to create some kind of political consensus. The conception of representation at this time was not based on the principle of the rights of the majority to determine an issue. This tradition of representation initially contemplated only real individuals as persons with rights and interests. Subsequently, it recognised the idea of collective unity, social community and the advancement of the common interests in society.<sup>49</sup> Thus, a situation where a person acting as an agent on behalf of another emerged.

By the 12<sup>th</sup> century, the development of parliaments that had power of deliberation and decision started to emerge. These 'parliaments' had power sharing arrangements particularly regarding levying of taxes among crown, bishops, nobles and wise men and the first of such parliament was in Spain in 1188.<sup>50</sup> Also, there was recognition of parliament in England in 1254 when Knights of the Shires were elected in the county courts and empowered to speak and bind the

---

<sup>45</sup> Pilkington (n 41) 5.

<sup>46</sup> Eulau, Heinz and Karp, 'Changing Views of Representation' in *The Politics of Representation*, edited by Heinz Eulau and John C Wahlke (eds.), Beverly Hills: Sage Publication, (1978) chap 2.

<sup>47</sup> Pilkington (n 41) 8.

<sup>48</sup> Converse P. E and Pierce R, *Political Representation in France*, Harvard University Press (1986).

<sup>49</sup> Hans Von Rautenfeld, *Political Representation*, new Dictionary of the History of Ideas, [www.encyclopedia.com](http://www.encyclopedia.com) accessed 20<sup>th</sup> September 2016.

<sup>50</sup> Ibid.

whole country.<sup>51</sup> By the 14<sup>th</sup> Century, members were expected to convey the grievances of their constituencies to the King and his Counsellors giving rise to a system of redress.<sup>52</sup> Thus the function of the parliament was to serve as a two way channel of communication between the people and the rulers. There was recognition of representation in Italy, but the situation there was different. The people initially governed themselves and there was no conception that the legislature might consist of persons elected by the people. However, in their demand for a broader franchise and a government to be responsive to the broader electorate, they merged the idea of rule by the people with the idea of representation.<sup>53</sup> It could be argued that the early conception of political representation still has repercussion on most contemporary Anglo-Saxon societies of today as the power of the Monarch still survives and is prevalent in these systems.<sup>54</sup>

By the 17<sup>th</sup> century, representation was characterised by a different conception. The idea in which individuals are subsumed into the concept of representation dominated political theory and practice. As Ankersmit points out, there was less competition about who should control the state but there was a united effort to check the power of the sovereign.<sup>55</sup> Thus, in the earlier times, while representation was seen to serve the function of power and to legitimise the authority or the existing rule,<sup>56</sup> the concept in recent times has obviously made its way through centuries informing later views such as virtual, republican, democratic, trustee, delegate and so on. The earlier views that were more theoretical and religious, with time transformed into more political concepts where a king or a parliament representing a body of people or a constituency tend to be answerable to the people. Certain features of representative government like elections of representatives are still in place and are observed in most government that are described as representative. However, the fact still remains that, though initially conceived as a means of limiting the participation of people in direct government, representation was as well a way of indirectly extending the power of decision making to the people.

---

<sup>51</sup> Rautenfeld, Political Representation, new Dictionary of the History of Ideas, [www.encyclopedia.com](http://www.encyclopedia.com) accessed 20<sup>th</sup> September 2016.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

<sup>54</sup> Ankersmit F R, Political Representation, Stanford University Press (2002) 25.

<sup>55</sup> Ibid.

<sup>56</sup> Eulau, Heinz and Karps, Changing Views of Representation (n 46) Chapter 2.



The next section provides a brief historical development of representation in Nigeria. Some degree of historical knowledge that would help in understanding the role of representation in a developing country is necessary for an acquaintance with the practice of politics in Nigeria.

## **1.2 Representation in Nigeria, the Different Phases**

In tracing representation in Nigeria, reference must be made to the pre-colonial entities that form the present-day Nigeria. These entities had ways of advancing their own causes, political ideals and ideologies of representation. There was the Sokoto Caliphate, Bornu Empire, Benin Empire, Oyo Empire, Old Calabar and other political entities that made up the territory. These territorial frameworks had their unique systems of representative government. The Chiefs, Obas or Kings as the case may be were the representatives of the people. There was in place an identifiable division of functions especially administrative that sought to represent the interests of their subjects. These systems were based on customary law in the south and the dictates of Islamic law in the north.<sup>57</sup> Although, tenure of the rulers was for life, it was still subject to the will of the people who could dethrone the King or Oba by banishing or forcing them to commit suicide if they felt that the King or Oba went contrary to the will of the people or the gods of the land.<sup>58</sup>

The British colonial rule brought elective representation in Nigeria. During this time, the Southern and Northern protectorates were amalgamated by the then Colonial Governor-General Lord Lugard in the year 1914, but the country remained under colonial rule until 1960. Though there was a Nigerian Legislature at the time, it was not representative and citizens had limited participation. Election at the time was limited to coastal cities of Lagos and Calabar.<sup>59</sup> Subsequently, elective representation was introduced in stages from the town council in Lagos to the legislative council.

Presently, the country operates a representative democracy in the presidential form following the US model after a prolonged authoritarian rule under the military.<sup>60</sup> The country has a

---

<sup>57</sup> C K Meek, *The Northern Tribes of Nigeria*, Frank Cass (1977) 237.

<sup>58</sup> Ajepe Taiwo Shehu, 'Constituency Control of Legislators: lessons From Nigeria, African' *Journal of International and Comparative Law* 191 (2011) 125.

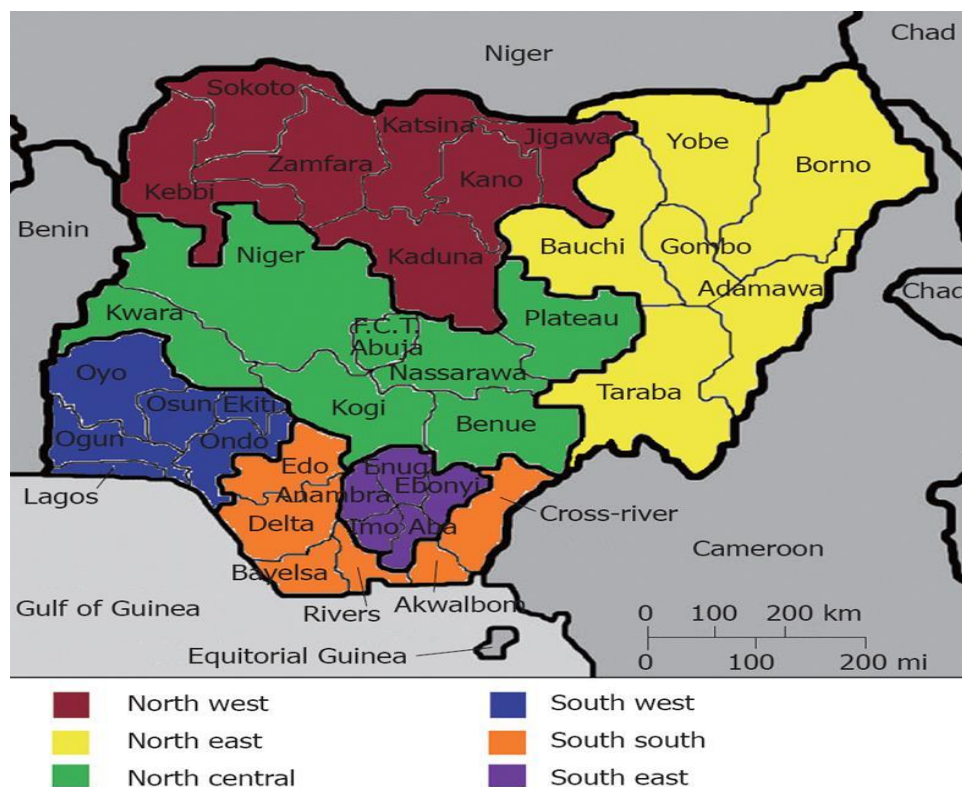
<sup>59</sup> *Representative Democracy in Nigeria*, <https://ecepj.org/ero-en/regions/Africa/NG/voter-education-handbook>.

<sup>60</sup> Oni Samuel, 'The Legislature and Constituency Representation in the Forth Republic of Nigeria's Democratic Government', *Ifè Psychologia* Vol 21, No 2, (2013) 232-244.

bicameral federal parliament known as the National Assembly.<sup>61</sup> Representatives are elected from 109 senatorial districts and 360 federal constituencies in the 36 states including the Federal Capital Territory (FCT). These single member constituencies are divided into 6 geopolitical zones.<sup>62</sup> The country's Independent National Electoral Commission (INEC) has adopted a delineation model that is suitable for local area with the purpose of bringing a sense of fairness and equality in representation across the country. This is believed to make the representatives more in touch with the people thereby enhancing representation.

This brief account shows that representative government has been in the fabric of the Nigerian society. This sets the context for the subsequent empirical study that forms the core of this thesis.

**Fig 1.1 Nigerian Map of Electoral Constituencies showing the six geo-political zones.**



Source: [www.researchgate.net](http://www.researchgate.net)

<sup>61</sup> S.47 of the 1999 Constitution Federal Republic of Nigeria (as amended) establishes the National Assembly and makes provision for the Senate and the House of Representatives.

<sup>62</sup> Silas Ruben, INEC: The Delineation of Electoral Districts and Constituency in Nigeria, (May 2014) [www.nigeriaworld.com](http://www.nigeriaworld.com).

**Table 1.1 Showing the Federal constituencies and their geo-political zones.**

HOUSE OF REP – Constituency					
STATE	ZONE	CONSTITUENCY	STATE	ZONE	CONSTITUENCY
Abia	SE	8	Kano	NW	24
Adamawa	NE	8	Katsina	NC	15
Akwa-Ibom	SS	10	Kebbi	NW	8
Anambra	SE	11	Kogi	NC	9
Bauchi	NE	12	Kwara	NC	6
Bayelsa	SS	5	Lagos	SW	24
Benue	NC	11	Nasarawa	NC	5
Borno	NE	10	Niger	NC	10
Cross River	SS	8	Ogun	SW	9
Delta	SS	10	Ondo	SW	9
Ebonyi	SE	6	Osun	SW	9
Edo	SS	9	Oyo	SW	14
Ekiti	SW	6	Plateau	NC	8
Enugu	SE	8	Rivers	SS	13
FCT	NC	2	Sokoto	NW	11
Gombe	NE	6	Taraba	NE	6
Imo	SE	10	Yobe	NE	6
Jigawa	NW	11	Zamfara	NW	7
Kaduna	NW	16	<b>TOTAL MEMBERS</b>		<b>360</b>

Source: Department of Operations, INEC Office Abuja Nigeria.

So far, the structure of the discussion shows that the concept of representation has evolved from a situation where people were directly involved in decision making in the society to a situation where this function is left to be handled by a few individuals on behalf of the people. This later situation seems more adaptable to modern society. This is due to the complexities of modern society and because people are engaged in other activities, they must use elections to entrust government to people who will devote their time to the task.<sup>63</sup> However, despite this development, the element of a democratic idea has not entirely changed. There are still notions of political equality among citizens and power of the people today just as it was in the past. Madison describes it as:

*...a superior political system which has the effect to refine and enlarge the public view through a chosen body of citizens whose wisdom may best discern the true interest of their country and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations.*<sup>64</sup>

In the above view expressed, Madison observed that in this circumstance, representation will be more in consonance with the public good. But here lies the problem; the presence of

<sup>63</sup> Manin (n 44) 3.

<sup>64</sup> Madison Federalist 10, The Federalist Papers, 82.

representatives acting on behalf of the people, the exact relationship between them and the people they represent is what will determine if the system meets the criterion of democratic representation or not. To address this problem and establish the link between the representative and the represented, an understanding of the role of representation is required. In the next part, I will examine views that have been put forward with regards to what representation should be. This will set the scene for representation as an activity that the representatives have to perform.

### **1.3 Theories of Representation**

Having seen the trend of representation in history and how it may have shaped our perception of the concept, there is need to discover what the term ‘to represent’ means in a democratic society. Theorists have put forward a variety of uses of the term that tend to conform to specific assumptions about representative action and the interaction of ideal preferences of citizens whether as individuals or as a group.<sup>65</sup> Representative action is considered to be exclusivist, which means doing one thing and forgoing the other and it occurs in different chaotic contexts, but at the end of it, specific political actions are considered appropriate as against others.<sup>66</sup> Thus, the synthesis of how these actions are considered appropriate in a complex social and political reality has to be made. The choice of what action or reaction is appropriate as a proper reaction or intervention has been considered and I review these theories in order to see how representation can be adapted to the political environment and to see how representatives are meant to accommodate constituents’ preferences and acts for them in a responsive manner. In doing this, I explore earlier views and work from there to a more contemporary view.

Thomas Hobbes provided one of the first extended discussions of representation in the seventeenth century in his major work the Leviathan, where the concept is viewed as a social contract. To him representation is the institution of a common wealth where men agree to give authority to a certain man or group of men such that all the actions of that man or group of men are said to be the action of the whole people.<sup>67</sup> What gives the right of representation according to this view is that one-off authorization given by the people to the representative to represent them. Representation in this sense presupposes that every action taken by the representative is already endorsed by the represented as their own action even before it is done and the

---

<sup>65</sup> Rogowski R., ‘Representation in Political Theory and in Law’, *Ethics* Vol 91 No 3 Symposium on the Theory and Practice of Representation (1981) 401.

<sup>66</sup> Ankersmit (n 54) 2.

<sup>67</sup> Pitkin H., ‘Hobbes, Concept of Representation II’, *American Political Science Association*, (1964) 914 [www.jstor.org](http://www.jstor.org) accessed 17<sup>th</sup> August 2015.

representative is the only judge of what constitutes the common good in the society. Also, the subjects have no claim on their representative as they have committed themselves totally in advance to the representative. Thus, the representative is not answerable to citizens in any way, they are only answerable to their own conscience. Under this theory, citizens cannot challenge their representative or have the right to ask for better representation. In fact, there is no such thing as the representative representing well or not.

Hobbes concept of representation is criticised on the grounds that representation cannot be exhausted by a mere authorisation to act, nor should it depend on the pleasure of those they represent.<sup>68</sup> Pitkin criticised Hobbes idea of representation as too formalistic, she argues that a sovereign with absolute authority in perpetuity without an obligation to consult with their subjects cannot be thought of as representation or a representative government, and representation does not mean merely acting with authority from another without any limits.<sup>69</sup>

Another eighteenth century theorist that has contributed to the concept of representation is Edmund Burke. In his famous speech to the electors of Bristol, he expressed his famous view of representation in the following words:

*Parliament is not a congress of ambassadors from different and hostile interests, which interests each must maintain, as an agent and advocate, against other agents and advocates, but parliament is a deliberative assembly of one nation, with one interest, that of the whole, where not local prejudices ought to guide, but general good, resulting from the general reason of the whole. You choose a member, indeed; but when you have chosen him he is not a member of Bristol, but he is a member of parliament.*<sup>70</sup>

Burke's theory of representation has to do with 'unattached interest'. Extracts from his writing refer to political representation as representation of interests which are objective and impersonal. To him, representation is to be done by an elitist group that knows what is best for the nation. He holds that, inequalities exist in every society and since a mass of people are not capable of governing themselves, then society needs to breed and train certain group of persons

---

<sup>68</sup> Stocks J L, 'Philosophy', Vol 6 No 24, Cambridge University Press on behalf of Royal institute of Philosophy, Cambridge University (Oct 1931) 406.

<sup>69</sup> Pitkin, The Concept of Representation (n 11) 36.

<sup>70</sup> Hoffman R.J.S and Levack P (eds) Burke's Politics: selected writings and speeches of Edmund Burke on Reforms, Revolution and War, Alfred A Knopf, New York (1949) 116.

who would be superior in terms of wisdom and ability who can perform this function best. These true aristocrats are the ones that should be allowed to rule and act on behalf of the people. He does not feel that the representative should seek the views of the people since it has to do with matters of reason and judgement.<sup>71</sup> His view, therefore, is that MP's once elected, are free from any restrictions.<sup>72</sup> The decisions they take in parliament are as a result of rational parliamentary deliberations to get the right answers to political questions and since the constituents are not present, it makes no sense to say that their views should be sought before such decisions are made. He went further to formulate the theory of visual representation as opposed to actual representation where it is presumed that those elected by a few are presumed to represent all.<sup>73</sup>

Apparently, Burke's view of representation like Hobbes strongly negates any authoritative instruction from the constituents.<sup>74</sup> It precludes democratic responsiveness to the represented and makes the representatives less responsive to sanctions and instead to be motivated by civic virtues.<sup>75</sup> Constituents are perceived as inferior to the representative who has the superior ability to deliberate and decide on their behalf. The relationship of the representative is to the nation as a whole, there is no special relationship with the constituents who elected them. Elections are merely a means by which the representatives that make up the natural aristocracy of rulers will be found. So, the representatives are trustees caring for the needs of the people and they ought to act from a sense of their notion of what is right and wrong.

This concept of representation has been characterised as an aristocracy of virtue and wisdom governing for the good of the entire nation.<sup>76</sup> It found classical expression in certain early European democracies as it captured the feeling at the time. It became more or less the foundation stone of modern parliamentarianism as seen in some prominent legislatures in Europe.<sup>77</sup> For instance, the reason for the prohibition of instruction during the French revolutionary period was said to be because the revolutionary government of Europe thought

---

<sup>71</sup> Hoffman and Levack (n 70) 117.

<sup>72</sup> Pilkington (n 41) 108.

<sup>73</sup> Hogan, Elections and Representation, 1945, 161.

<sup>74</sup> Stocks, Philosophy (n 68) 408.

<sup>75</sup> Rehfeld A, Representation Rethought on Trustees, Delegates and Gyroscopes in the study of Political Representation and Democracy, American Political Science Review Vol 103, No2 118 2009.

<sup>76</sup> Pitkin, Concept of Representation (n 11) 218.

<sup>77</sup> The French constitution 1791 laid it down that "the representative elected in the department will not be representatives of a particular department, but of the whole nation and they may not be given any mandate" Similarly, the German constitution of 1919 made a provision to the same effect that "the deputies are representatives of the whole people, they are subject only to their conscience and are not bound by mandates". The Swiss Constitution of 1874 puts it bluntly that "The members of the two councils vote without instruction."

that it might threaten the unity of the nation.<sup>78</sup> Although this theory has been criticised mainly on account of its inconsistencies, it is still popular for analysing the behaviour of contemporary politicians.<sup>79</sup>

Looking at more contemporary views of what it means to represent, Max Weber sees representation as a situation where the actions of certain members of a group are ascribed to the rest of the group and is binding on them.<sup>80</sup> Weber's explanation can be regarded as a social relationship as he rightly calls it. A situation where each member's action is ascribed to all can be described as solidarity.<sup>81</sup> For there to be true representation, certain members should be ascribed authority to act for the group and not all the members as this position implies.

Miller and Stokes identified congruence as an expression of representative relationship between the representatives and their constituents. They examined the extent to which the representative's roll call voting behaviour matches the opinion of their electoral districts. They found that constituents tend to have some level of control over their representatives, but the representatives tend to be unsure of the exact nature of constituency preference. This is because constituents are not clear on the policy position of their representatives.<sup>82</sup> They also have been criticised for taking this stance. To Heinz, congruence cannot be a self-evident measure of representation. For this to happen, certain conditions need to be fulfilled, citizens should be in control and be free to choose their representative. In doing this, they choose representatives that share their views and they must have the power to deprive such representatives of office when they fail to carry out their functions as expected.<sup>83</sup>

Achen also criticises the use of correlation coefficients in the study of representation. He developed an alternative model to test the relationship between the representatives and their constituents. He found that winners are less representative than losers and there is no difference between them with regard to issues.<sup>84</sup>

---

<sup>78</sup> Stocks (n 68) 408.

<sup>79</sup> Brenton, Representative Roles and Responsibilities, Parliament of Australia, [www.aph.gov.au](http://www.aph.gov.au), accessed August 11<sup>th</sup> 2015.

<sup>80</sup> Max Weber, *The Theory of Social and Economic Organisation*, translated by A M Henderson and T Parsons, (1947) 676-678.

<sup>81</sup> Pitkin, *The Concept of Representation* (n 11) 40.

<sup>82</sup> Miller W. E, Stokes D.E, *Constituency Influence in Congress*, *The American Political Science Review*, Vol 57 Issue 1 March (1963)48.

<sup>83</sup> Eulau H. and Karpis P, *Specifying Components of Responsiveness*, *Legislative studies Quarterly*, Vol 2, No 3 (1977) 234.

<sup>84</sup> Achen, C. H *Measuring Representation, Perils of the Correlation*, *American Journal of Political Science* 21 (4) (1977) 810. [www.jstor.org](http://www.jstor.org) accessed 21<sup>th</sup> June 2015.

Verba and Nie addressed representation from the point of responsiveness similar to the approach taken by Miller and Stokes and they defined it as the degree of citizen's participation. Here, participation was brought in as a variable in the theory of responsiveness. They viewed responsiveness to be how well the priorities of the citizens and the leaders match and called this 'concurrence.'<sup>85</sup> They too have been criticised on the basis that, the analysis is neutral on direction and is characterised intrinsically with ambiguity.<sup>86</sup> In trying to find the correlation between participation and concurrence, they failed to state whether it is the leaders that are responsive to the citizen or the citizens are responsive to the leaders.

Eulau and Karpis, who also viewed the theory of representation from the point of responsiveness, were of the view that, if responsiveness is restricted to a single component, it will be unable to capture the complex realities of real-life politics. Consequently, they proposed that responsiveness should be viewed as a complex compositional phenomenon that entails a variety of possible targets in the relationship between the representatives and the represented.<sup>87</sup> They proposed four components of responsiveness which constitute representation and stressed that each can be treated as a target but all four are to be considered in an analysis to determine representation. These components are *policy responsiveness*, which deals with the issues that agitate the political process, *service responsiveness* which has to do with the individual legislators efforts to secure benefits for individuals or groups in their constituency, *allocation responsiveness* which deals with the effort of the representative to obtain benefits for the constituency through government interventions like the 'pork barrel' and finally, *symbolic responsiveness* which has to do with the creation of a sense of trust and support in the relationship between the representative and the represented.<sup>88</sup>

On the whole, it can be seen that, the concept of political representation has agitated the minds of political theorists for a long time. Studies have attended to several questions, but as Coleman observed, classical notions of political representation were focused on the formal mechanisms of representation, failing to take into consideration the way the citizen and their representative interact or fail to interact.<sup>89</sup> From the more contemporary views, it can be seen that, this is a relevant focus of attention. There is need for a theoretical shift from mere formal authorisation

---

<sup>85</sup> Verba, Sidney and Nie Norman H, *Participation in America: Political Democracy and Social Equality*, New York, Harps and Row, (1972) 304.

<sup>86</sup> Eulau & Karpis, *The Puzzle of Representation* (n 12) 239.

<sup>87</sup> *Ibid* 241.

<sup>88</sup> Eulau & Karpis, *The Puzzle of Representation* (n 12) 241.

<sup>89</sup> Coleman S., *Direct Representation Towards Conversational Democracy* (n 13).



to acting in citizens' interests. Concentrating on the formal and institutional aspects alone without looking at how representatives and citizens interact leads to a situation where citizens feel disengaged. A situation where representatives cannot take on the views of constituents does not offer an accessible route to political reconnection.<sup>90</sup> This will merely result in the representatives 'playing politics' without impacting on the constituents in any way.

The reason for emphasising the relationship between the representatives and the constituents is that, the distance between suggests that representatives cannot be held to account for whatever they do. A restyling of representation which is more responsive to constituents and take on their views in representative action and decision making is necessary. As Coleman argues, democracy works best when voters and representatives connect, exchanging views, accounting for themselves to each other and, ideally, sharing a common world.<sup>91</sup> With this in mind, the next section will examine some explanations of representative behaviour, its implication will advance understanding of how representatives are able to represent constituents by acting in their interests and following their preferences.

### *1.3.1 Models of Representation*

The brief sketch of the theoretical context makes it clear that the idea of representatives representing constituents' interests and following their preferences is relevant and this seems to be what is acceptable in modern political societies. However, models of popular representation appropriate for modern societies can assume a variety of configurations. Three models have been historically prominent in the study of representative behaviour. They are the *delegate*, *trustee* and the *responsible party* models. Debates over representation have pointed towards the delegate model and the trustee model as the main styles of political representation and they place competing and contradictory demands on the behaviour of representatives. While the trustees in carrying out their representative role rely on their own best judgement, the delegates in the course of representation reflect the views of their constituents.<sup>92</sup> This distinction has implications that affect how representational performances of the representatives are conceived and measured. Although, political theorists have treated this as mainly the problem with political representation, in line with the views expressed by Andrew

---

<sup>90</sup> Coleman S, *A Tale of Two Houses*, London: Hansard Society (2003) 758.

<sup>91</sup> Coleman, *Direct Representation Towards Conversational Democracy* (n 13) 1.

<sup>92</sup> Tate K., 'The Political Representation of Blacks in Congress. Does it Matter?' *Legislative Studies Quarterly*, Vol 26 No4 (2001) 624.

Rehfeld, it can be viewed in terms of representatives taking on the role of decision makers rather than on account of their law-making function. An examination of each of these views will be needed to understand their implications.

### *1.3.1.1 Representatives as Trustees*

As discussed earlier, Edmund Burke was one of the first to elucidate the trustee view of representation. To him, representation is of interest and interest has an objective, impersonal, unattached reality.<sup>93</sup> Members of parliament are perceived as unequal members of the society, an elitist group discovering and enacting what is best for the nation with their aim at the national good and they alone ought to be judges of what is that national good.<sup>94</sup> This view holds that, power in the hands of the multitude admits to no control, representatives have the wisdom and ability of practical reasoning and if constituents' wishes go contrary to the national good then representatives are not obliged to give effect to, or be responsive to those interests.<sup>95</sup> Thus, representatives having decisional authority over laws and popular sovereignty is seen as the governing ideal. Proponents of the trustee view are Schumpeter and Wahlke Schumpeter claims that political action should be the business of the elected officials and not the voters and as such they should not be instructed by the voters.<sup>96</sup> Similarly, Wahlke found the trustee orientation to be the most common in four American states with less than 20% classified as delegates.<sup>97</sup>

### *1.3.1.2 Representatives as Delegates*

An alternative view attributed to Rousseau argues that representatives are delegates of their constituents and therefore subject to the will of those who gave them the mandate. The principle behind this is the idea of self-government as a condition of freedom advocated by Montesquieu. This emphasises the view that the legislative power must reside with the people but, as a matter of convenience, the people have to do through their representatives what they cannot do by themselves.<sup>98</sup>

---

<sup>93</sup> Pitkin, *The Concept of Representation* (n 11) 168.

<sup>94</sup> Burke Edmund, *Burke's Politics* Eds, Ross J Hoffman and Paul Levack, New York (1949) 301.

<sup>95</sup> Hoffman and Levack (n 70) 148.

<sup>96</sup> J. A. Schumpeter, *Capitalism, Socialism and Democracy*, Rutledge, New edn (1994) 250.

<sup>97</sup> Wahlke C.J., Eulau H, William Buchanan, Leroy C Ferguson, *The Legislative System: Exploration in Legislative Behaviour* New York John Wiley and stone Incorporated (1962) 281.

<sup>98</sup> Montesquieu in J L Stocks *Philosophy* (n 29) 409.

Although, there has been a further divide among the scholars on this account, generally, proponents of this view have not been silenced. This model is considered to be deeply rooted in democratic values as representatives are meant to act on the instructions of their constituents.<sup>99</sup> Two versions of this model have emerged with peculiar arguments on how the representative should act. The first view sees the representative as merely running errands for the represented and as such must always do their bidding without question. The other less extreme view allows representatives to use their own judgement to a certain degree.<sup>100</sup> The latter scenario could be a situation where the instruction may not be clear or the matter may be so weighty and complex that constituents may not be able to give proper instruction. This may also be due to the fact that they may not have all the information available to them. In such a situation, there is no doubt that the common-sense position will be the latter but even in this more realistic view, the instruction from the constituents seems to be the overall concern.

Relating these views of representation to the realities of working politics and representation which ought to act in the interests of constituents in a responsive manner, it can be concluded that as a trustee, the representative is conceived as capable of independent acts and judgement. Since their relationship is to the nation as a whole, there is no special relationship with the constituents. Contrary to this view, the delegate view posits that representation ought to press for close correspondence between the views of an electoral constituency and the actions of the representative.<sup>101</sup> They further argue that the aim of representation ought to be for the good of the particular constituency represented because a special relationship to a part does not necessarily hinder the service to the whole. To them it is parliament as a whole that can speak of representing the whole nation, an individual member's responsibility ought to be to the constituency who gave him or her mandate. Thus, in representing the interests of the nation, the representative must not go contrary to the expressed wishes and interest of the constituents, especially with regard to matters that affect them directly. Pitkin views this as what is acceptable for representation in the substantive sense. She goes on to argue that, where the nature of the issues to be dealt with are unattached abstractions, (issues that are not personal to a particular group of people) it can hardly be said that the consultation of the constituents is

---

<sup>99</sup> Converse and Pierce, (n 48) 493.

<sup>100</sup> Ibid.

<sup>101</sup> Rehfeld, Representation Rethought (n 75) 218.

ideal,<sup>102</sup> but whatever decision that is finally taken by the representative must still be that which is in their interest.<sup>103</sup>

A critical examination of the delegate and trustee views shows that both seem to have a different perception about constituents, hence the variation on how they should be instructed. A major concern to both is the notion of what is conceived as the ‘common good.’ While the trustees believe that this ultimately exists and can be achieved as long as there is a consensus to search for it, the delegates who are more sceptical of the notion of ‘common good’ see politics not as a search for consensus but as a constant effort of compromise between irreconcilable societal interests.<sup>104</sup>

Both tend to associate representation with electoral phenomenon and accountability. As Maravall notes, election could act as protective mechanism for the responsiveness of politicians.<sup>105</sup> To Fearon, it is an opportunity for the voters to select good types of politicians than as sanctions to deter erring incumbents.<sup>106</sup> The trustee view has its ultimate goal in preventing the representative from straying too far from the interests of their constituents as the electorate engages in retrospective voting to assess the past performance of representatives in a bid to hold them accountable. Policy makers obviously act according to their own free will in the interests of the common good, but they uphold that there should be a clear correspondence between the personal policy preference of the representatives and the actual policy outcome. The delegates on the other hand tend to behave in accordance with the preferences of constituents and representation occurs when legislators consistently adopt policy positions in line with constituents’ demands. Election to the delegates therefore serves primarily as a means of selecting representatives who promise to comply with constituency preferences.

Theorists have conducted some examination of the model which best supports citizens’ preferences. Miller and Stokes in their study came up with the finding that congruence (when representatives and constituents agree on the same line of action) is closest to the delegate

---

<sup>102</sup> Pitkin, *The Concept of Representation* (n 11) 210.

<sup>103</sup> *Ibid* 408.

<sup>104</sup> Ankersmit (n 54) 40.

<sup>105</sup> Maravall Jose Maria, ‘Accountability and Manipulation’ in Adam Przeworski, Susan C Stokes and Benard Manin (eds), *Democracy, Accountability and Representation*, Cambridge, Cambridge University Press (1999) 155.

<sup>106</sup> Fearon James D, ‘Electoral Accountability and the Control of Politicians: Selecting Good Types Versus Sanctioning Poor Performance’, in Adam Przeworski, Susan C Stokes and Benard Manin (eds), *Democracy, accountability and Representation*, Cambridge, Cambridge University Press (1999) 82.

model on the issues of civil rights and to the trustee model on the issue of foreign policy.<sup>107</sup> Fiorina in her study also measured representation as the fit between the policy position of the representatives and the preferences of their constituents.<sup>108</sup> Studies have also been done on responsiveness of different institutions in the United States and it was found that policy responds dynamically to public opinion and responsiveness was high because it was in line with the intentions of the founding fathers although it varies by institution.<sup>109</sup> Stimson in a later study in the United States stressed that the House is sensitive to public opinion changes and constantly adjusts its position in line with the delegate conception of representation.<sup>110</sup>

Generally, proponents of both models often advance their argument to the exclusion of the other. However, as Pitkin recounts, circumstances vary and as such may make a particular model more suitable than the other.<sup>111</sup> Certain conditions may be of such emergency or so technical that the necessity of the trustee role may not be questioned. Similarly, there are some real-life circumstances where going contrary to the interests of the citizens may not be defensible. Theorists have come to the conclusion that both models of representation seem to have their vulnerabilities and their peculiarities and as such there is a reason for their coexistence.<sup>112</sup> Fenno has also stated that, the implication of their justification is that neither is totally dishonest if taken in a particular context.<sup>113</sup>

### *1.3.1.3 Responsible Party Model*

Unlike the two opposing models of representation discussed above, this model assumes that political parties compete with one another by developing contrasting policy programmes which are widely published to persuade prospective voters. The voters themselves being cognisant of this contrast will vote for candidates that represent the programme which is closest to their own preferences. This is on the notion that representatives in acting for constituents will always pursue the programmes or interests of the party under whose banner they are elected.<sup>114</sup> This model actually seeks to make the delegate model more effective and efficient.<sup>115</sup> It envisages a

---

<sup>107</sup> Miller W.E and Stokes E.D, *Constituency Influence in Congress* (n 10)

<sup>108</sup> M.P Fiorina, *Representatives, Roll Call and Constituents*: Toronto, Lexington Books (1974) 24.

<sup>109</sup> J.A Stimson, M.B Mackuen and R.S Erikson, *Dynamic Representation*, *American Political Science Review*, Vol 89, No 3 (1995) pp 543-565 at 550 [www.jstor.org](http://www.jstor.org).

<sup>110</sup> J.A Stimson, *Public Opinions in America*, revised ed. Boulder: Westview (1999).

<sup>111</sup> Pitkin (n 11) 155.

<sup>112</sup> *Ibid* 145.

<sup>113</sup> Fenno Richard F *Home Style: House member in their Districts*, Boston Little Brown (1978) 161.

<sup>114</sup> Converse & Pierce (n 48) 499.

<sup>115</sup> Kirkpatrick Evron M, 1971 "Towards a more Responsible Two-Party System" *Political Science, Policy Science or Pseudo Science?* *American Political Science Review* 65 (1971) pp 965-990.

situation where winning parties commit themselves to follow programmes sacredly sworn to, which voters could then use to evaluate their actions.

The most important feature of this model is that, it introduces the intervening mechanism of the political party.<sup>116</sup> The ideal case of this model sees members of parties voting enbloc with their party caucuses as this is seen as an implied contractual obligation with their supporters.<sup>117</sup> Invariably, this model introduces electoral programmes and voter information that serves as a constraint on the abilities of the party to ignore public preferences and it raises questions about the means of representation.

Empirical studies at party level are also in existence. Stokes analyses party manifestos in Latin America to determine the level of commitment that parties show to their electoral programme. It was found that mandate could be widely and severely violated when politicians viewed preferences as erroneous and unstable. In such cases, the conclusion was that mandates were bad predictors of policy.<sup>118</sup> At the European level, studies attribute the lack of congruence between the public mandate and policy at the party level to coalition government and party weakness.<sup>119</sup> Esaiasson in a study of four democracies found that voters policy view were more in agreement with the collective party representatives than with their own local representative.<sup>120</sup> Similar studies have been carried out by Barnes in Italy<sup>121</sup> and Holmberg in Sweden.<sup>122</sup>

These models of representation do not exhaust all possibilities that can explain representative behaviour, but they fill some of the obvious points that need to be borne in mind when examining a representative process. In the next section, these models are applied to the local political system in Nigeria to see the extent to which they can be used to explain political representation.

---

<sup>116</sup> Converse & Pierce (n 48) 499.

<sup>117</sup> Ibid 501.

<sup>118</sup> Stokes S., 'What do Policy Switches tell us About Democracy?' In Adam Przeworski, Susan C Stokes and Benard Manin (eds), *Democracy, Accountability and Representation*, Cambridge, Cambridge University Press. (1999)126.

<sup>119</sup> Klingemann Hans-Dieter, Richard I Hofferbert and Ian Budge (1994) *Parties, Policies and Democracy*, Boulder: Westview Press (1994).

<sup>120</sup> Esaiasson Peter, 'Not All Politics is Local: The Geographical Dimension of Policy Representation' in Warren E Miller et al (eds) *Policy Representation in western Democracies*, Oxford, Oxford University Press (1999) 110-36.

<sup>121</sup> Barnes, Samuel H. *Representation in Italy: Institutionalized Tradition and Electoral Choice*, Chicago: University of Chicago Press (1977).

<sup>122</sup> Soren Holmberg, 'Political Representation in Sweden' *Scandinavian Political Studies* 12, (1989) 1-36.

### *1.3.2 Discussion and Relevance to Nigeria*

In examining the nature of fit between models of political representation and the representative process in Nigeria, there are areas where such models can conform to the Nigerian political environment and other areas where their application can be said to be only to a limited degree. It is also worthy to note that, even in the local political setting, the distinction between the delegate and trustee views is important. Where issues of popular representation are concerned, the views of the citizens is inherent. Constituents may not have the expertise or the time to commit to the details of most policy domains, but the fact remains that they have some sense of what they would prefer and what they would not prefer.

Bringing back this discussion to the context of this research, it can be argued that, in the allocation of projects using the CDF, representatives would hardly be faced with such decisions that are impersonal or can be classified as “unattached”. The projects in question are those which will impact directly into the lives of the constituents and as such, consulting with them becomes a matter of necessity. The fact that the constituents are in a better position to know what projects are most suited to meet their local needs means, their connection to the representatives is imperative in order to get their views. These projects are specifically targeted to the rural areas and most of the representatives do not reside in these areas, so taking a decision on infrastructural projects to be cited in the community without the input of constituents, definitely goes contrary to the objectives of the CDF.

The responsible party model is applicable to a limited degree to Nigerian politics. The degree of party discipline in legislative voting seems to be readily ascertainable in most European jurisdictions,<sup>123</sup> but the same cannot be said for Nigeria. The relatively weak parties<sup>124</sup> may make this model a bit problematic to be used as a measure of legislative behaviour. This is not to say situations where legislators follow party wishes are not there. A majority of the roll call votes in parliament will always follow this model but sometimes there could be some major defections. For instance, after the 2015 Nigerian elections, the National Assembly in the election of the Senate President went contrary to the dictates of the ruling political party All Progressives Congress (APC) and made their choice of candidate to be the Senate President.<sup>125</sup>

---

<sup>123</sup> Converse and Pierce (n 48) 500.

<sup>124</sup> Omotola J.S. MS, Nigerian Parties and Political Ideology, Redeemers University, Redemption City, Mowe, Ogun State, Nigeria, *Journal of Alternative Perspectives in the Social Sciences* Vol 1, No 3 (2009) 612.

<sup>125</sup> S.50 of the 1999 Federal Constitution of Nigeria provides for the President and Deputy Senate President of the Senate to be elected by the members of the Senate themselves.

This defiant behaviour has also been seen in other areas in the legislative process. However, it can be said that in Nigeria, party voting dominates the legislative process but at the same time it may be difficult to say that legislators act in an accountable and responsible manner towards their party. Therefore, an enquiry shall be made in subsequent chapters whether these imperfections actually serve as an incentive or as a hindrance in the consideration of constituents' interests in the course of representation. In doing this, the individual representative's action must be distinguished and the structure of the representative system and the way they are drawn needs to be examined to determine whether they are appropriate for us to infer such a model.

On the general plain, we tend to expect that representatives ought to follow the constituents' instructions especially in matters that directly affect them. As such, preference is for the delegate model. This model appears to be more democratic and captures the interaction between the representative and their constituents. Throughout this thesis, there is an interaction between the empirical description of representation and the theorizing of the concept as a democratic activity that is built upon the base of the delegate model. Modern representative democracy has always had participatory elements, not just through voting to get representatives elected, but through interaction in many forums.<sup>126</sup> As this two-way level of communication between both parties continues to evolve, there is direct exchange between the citizens and their representatives. They are able to communicate their preferences to the representatives who are meant to act according to such preferences. Under these paradigms, the members through their acts lend legitimacy to the government by creating a link between policy and the citizens. Therefore, in considering how a representative should act, it is the nature of the issue at stake, the political choices to be made and the constituency to be represented, coupled with the capacities of both the representative and the represented that determines a system's representational performance. In the next section, a conceptual framework following Pitkin's theory of representation is developed and analysed to show how representational acts should be evaluated.

---

<sup>126</sup> Coleman, *Direct Representation Towards Conversational Democracy* (n 13) 1.



#### 1.4 Representation as Acting for Others: Interests and Responsiveness

There is no doubt that models of representation based on delegates, trustee or the responsible party lead to different empirical evaluations of representative performance. Despite their importance, these models have not attracted much investigations from theorists. Suffice it to say that theorists who concern themselves with how democratic representatives advance policy process on behalf of their constituents are few when in actual sense the centre of gravity of political representation in a democratic society ought to be the citizens.<sup>127</sup> There is always this feeling among theorists that having institutional restraint in place can preserve democratic representation and prevent illicit motivation of the representative. That is, once arrangements that secure fair election and promote democratic deliberation are in place, it can be used to check erring representatives and make them act in line or do the bidding of their constituents. This, unfortunately, may not be adequate, as citizens will always demand better representation. Therefore, the way representatives attend to their advocacy work by implementing policy preferences and taking actions that will impact positively on the lives of constituents is important to democratic representation.

Consequently, the identification of the role orientation of the representatives might help in identifying the behavioural consequences of their action. The starting point could be to base the account of representation on the activities of the representatives and the extent to which they take the preferred interest of their constituents into consideration when carrying out these activities. Miller and Stokes, one of the first to investigate the relationship between representatives and constituents, identify congruence in their research as what would serve the purpose of providing evidence of representation.<sup>128</sup> By this, they mean, how the acts of representatives match with the preferences of constituents. Despite the fact that they were criticised,<sup>129</sup> an appreciation of this theory is still needed as a start point for evidence of representative acts.

Pitkin's theory emphasises substantive acting for others and not just a formal authorization or accountability to others as what counts as representation.<sup>130</sup> She conceptualises representation as an activity defined by certain behavioural norms which brings out the obligation of

---

<sup>127</sup> Nadia Urbinati, 'Political Representation as a Democratic Process' (2006) 24, [www.jyu.fi](http://www.jyu.fi) accessed January 2016.

<sup>128</sup> Miller and Stokes, *Constituency Influence* (n 82) 45-56.

<sup>129</sup> Eulau and Karpis *Specifying Components of Responsiveness* (n 83) 234.

<sup>130</sup> Pitkin (n 11) 209.

representatives and the participatory elements of citizens in it. Whilst it is not exhaustive of the possible theoretical directions for conceptualising representation as an activity, Pitkin's work provides an accessible introduction to the idea of acting for others which is useful for the context at hand, that is, how representatives are able to represent the constituents using the CDF.

Taking this view of representation, this section discusses what the representative is meant to do in the course of representing constituents. The activity performed is looked at in terms of how trustworthy and accurate the representative is in rendering of service to constituents. What goes on in the performance of the activity itself is important. In the course of the performance, there are standards or limits that serve as criteria to measure whether the particular activity can be counted as good representation or not. Such an activity must be in furtherance of the interests of constituents and they must be able to make their input as to what will serve their interests. This is what serves as a guide or standard for the actions of the representatives.

In taking this approach, I acknowledge that representation takes various forms depending on the perspective from which we want to look at it. What is stressed here is the substantive acts as the core of representation. This creates spaces for a notion of what may count as representation and to determine whether legislators are able to live up to such ideals. In doing this, we attend to questions like what is it about the representative that makes them represent? Is it about their action or perhaps something else? Such questions are pertinent in order to decide if representation is taking place.

Where actions of representatives are properly guided and there is some relation with the constituents whose interest they further, then there is a possibility that this may enable the citizens to agree with the representative on the same agenda. This is referred to by Miller and Stokes as 'congruence'<sup>131</sup> (both representative and constituents agreeing on the same agenda) and by Verba and Nie as 'concurrence' (agreeing on the same line of action).<sup>132</sup> Whatever term is chosen, it has been argued that, representation is had for the interests of the citizens. In order for it to represent their interest, citizens must be able to say so themselves and not someone else evaluating this on their behalf. This puts more emphasis on effective communication

---

<sup>131</sup> Miller and Stokes, *Constituency Influence* (n 82) 47.

<sup>132</sup> Verba, Sidney and Nie Norman, 'Participation in America, Political Democracy and Social Equality', New York Harper and Row (1972) 300.

between representatives and their constituents, thereby reviving ideas of participatory democracy.

Based on the premise that citizens form opinions and have preferences that are capable of being represented,<sup>133</sup> key aspects of ‘interest’ articulation and ‘responsiveness’ become an integral component of representation. Both concepts are important features of democratic representation that cannot be ignored in the bid to assess whether representatives actually represent constituents well or not. An acknowledgement of these basic concepts is likely to orientate representatives towards the right direction in their bid to carry out their function of representation. Putting these two ideas of ‘interest’ and ‘responsiveness’ together generates a working understanding of representation as a democratic practice. The need for transparency in democratic representation can be seen from the relationship that exists between the representatives and the represented. If representation is a practice that is concerned with acting on behalf of citizens, then it must show this by how the interest of people are taken on board and the representatives are responsive to constituents’ preferences.

Although, empirical finding reveals that interest articulation and responsiveness to the people are components that sit uneasily with the concept of representation, to the point that rather than respond to them representatives tend to transform them,<sup>134</sup> these two contexts are not heterodox. They tend to be common to most democratic bodies. Their absence seems to compromise to a very large extent the democratic ideal. This affirms that political representation actually draws its legitimacy from the people it represents and it is their interests that should form its bedrock. An evaluation of each concept is necessary for a better understanding of what constitutes proper representation in a democratic setting.

#### *1.4.1 Interests*

It has been argued that, a representative can represent not in terms of rights or obligation but to speak for, act for and look after the interests of their respective group.<sup>135</sup> This makes interest one of the most important standards used to evaluate representative action.<sup>136</sup> Representatives

---

<sup>133</sup> Disch L., ‘Towards a Mobilisation Conception of Democratic Representation’, *American Political Science Review*, Vol 105, No1 (February 2011) 100.

<sup>134</sup> Mansbridge J, *Rethinking Representation*, the *American Political Science Review*, Vol 97, No 4 (November 2003) 515 - 528.

<sup>135</sup> Pitkin, *The Concept of Representation* (n 11) 116.

<sup>136</sup> Dovi S. (n 3) 69.

often tend to claim that they know what constitutes the interest of those they represent.<sup>137</sup> The question that needs to be asked is, does this claim constitute substantive representation in itself? If representatives claim that they represent the interests of their constituents, do they really do this from their perspective of what they feel representation should be, or are there standards for evaluating their actions? This brings us to the pertinent question of how we can differentiate actual representation from representation that is a mere sham.

Luttbeg in answer to the above question state that: “policies passed by government must reflect both the preferences of the governed and most desirably, the public’s interests.”<sup>138</sup> By this view, the ideal of representation is the identity between the will of the people and the actions of the representatives. In other words, representatives should make the decisions that the people ordinarily would have made had they been the ones to decide for themselves.<sup>139</sup> Following these views it can therefore be argued that, if the representatives are to excel in the representation of constituents, it follows naturally that it requires a special type of behaviour or some kind of obligation.<sup>140</sup> The representative has substantive obligation to act on behalf of the interests of others whose interests may be identical with that of the representative, but the obligation to represent accrues only by virtue of that interest being someone else’s.<sup>141</sup> The point therefore, is that representatives cannot be representing their own interests but those of others. The possible targets when representing constituents are the goods, services or infrastructure that representatives can bring to them. If these goods are merely those that would enhance the political status of the legislator without meeting the needs of the constituents, they cannot be said to have represented their interests. On the contrary, they may have represented an interest which is entirely theirs or that of a few selected elements in the community without having real impact on the generality of the constituents.

Also, the focus on interest of constituents’ permits the making of summary judgement on the representational relationship between the representatives and constituents to see its strengths and weaknesses. This judgement in the long run will refer to the degree of congruence between the constituent’s preferences and the representative’s action. Although, the treatment of

---

<sup>137</sup> Judith Squire, ‘The Constitutive Representation of Gender: Extra-parliamentary Representation of Gender Relations, Representation 44(2) (2008) 17; Michael Seward, ‘The Representative Claim, Oxford, Oxford University Press; Nadia Urbinati, ‘Political Representation as a Democratic Process’ (2006) [www.jyu.fi](http://www.jyu.fi).

<sup>138</sup> Luttbeg Norman R. ed Public Opinion and Public Policy: Models of Political Linkage 3<sup>rd</sup> ed Ithaca, NY: Peacock (1974) 3

<sup>139</sup> Thomassen J., Empirical Research in Political Representation: Failing Democracies or Failing Models. 238

<sup>140</sup> Pitkin, The Concept of Representation (n 11) 116.

<sup>141</sup> Rehfeld A., Towards a General Theory of Political Representation, (n 37) 2.

representation here may seem partial, it enables us to trace some of the main lines of political representation by focusing on the individual actions of legislators in a democratic society. Representatives are meant to serve as agents and represent a wide range of interests in their constituencies. These interests are not meant to fluctuate based on what the representatives merely present to their constituents, but should stem from the constituents' needs, desires and values.

Thus, political representation being an intrinsic part of any democratic society makes it imperative that representation that is people centred is what should count. People are capable of having interests and preferences that are coherent enough for the representatives to represent. The processes by which these interests and preferences are formed depend on variables they are confronted with or options that are put before them by their representatives in the course of their interaction. As Philips reasons, interests are realised in the course of decision making when various options, implementation strategies and competing concerns are discussed. If the constituents are not allowed to take part in the decision-making process they will not have the avenue to insert their interests.<sup>142</sup>

#### *1.4.2 Responsiveness*

The term responsiveness has sometimes been identified as an alternative for representation.<sup>143</sup> Dahl is of the view that "a key characteristic of a democracy is the continuing responsiveness of the government to the preferences of its citizens."<sup>144</sup> Responsiveness here is taken to be the measure of how representative actions match the preferred interests of the constituents. This no doubt can only be brought about by participatory and representational ideas of democracy.<sup>145</sup>

Eulau and Karps earlier discussed, expounded four components of responsiveness: policy responsiveness, service responsiveness, allocation responsiveness and symbolic responsiveness. They are of the view that, these constitute the matrix of representational relationship and as a whole form the target of what it means to represent.<sup>146</sup> To them the four

---

<sup>142</sup> Anne Phillips, 'Democracy and Representation or why should it Matter who our representatives Are, Feminism and Politics, Oxford University Press (1998) 224-240.

<sup>143</sup> David Judge and Gabriella Ilonszki, Member-Constituency Linkages in the Hungarian Parliament, *Legislative Studies Quarterly* Vol 20 No 2 (1995) 175.

<sup>144</sup> Dahl R., *A Preface to Democratic Theory*, Chicago, The Chicago university Press (1956) 1.

<sup>145</sup> Eulau and Karps, *The Puzzle of Representation* (n 12) 241.

<sup>146</sup> *Ibid* 241.

components must be considered together in analysing the concept of representation. Single aspects of representation cannot be taken as what constitutes representation but rather, various political activities put together is what the representational nexus requires. It is only in this compositional approach that the representation as responsiveness can be meaningful.

Despite this view, most studies on responsiveness have been limited to policy responsiveness.<sup>147</sup> In the same manner, focus here is on the allocation responsiveness. The relationship between the modes of responsiveness and how the focus on one aspect affects others is beyond the scope of this research. However, as will be demonstrated later, allocation responsiveness is an effective way of evaluating representative relationship. If attention is given to this component it does not neglect other components and does not preclude the representative from being responsive in those other aspects. What matters is that all the constituents feel represented.<sup>148</sup> The only distinction with regards to policy responsiveness and allocation responsiveness in this evaluation is that, in the policy making process, representatives do not stand alone. They do this process in association with other representatives and as such these policies cannot be attributed to them individually. On the other hand, the public good they are able to bring to their constituents in their allocation responsiveness, can be attributed to them directly. This can be achieved as a result of their interaction with constituents to get their preferences.

It has been argued that, one of the factors that explain citizen disengagement from politics is because the representative system fails to forge meaningful connections between the politicians and the people they represent to make them feel represented.<sup>149</sup> The two-way relationship between the representative and the represented is an essential part of political representation. Succinctly, Pitkin's definition of representation as 'acting in the interest of the represented in a manner responsive to them'<sup>150</sup> implies a system in which representatives listen to and acknowledge the preferences of the people they represent.<sup>151</sup> The reason for advocating a close relationship between representatives and their constituents is mainly to seek greater responsiveness from them, seeing that, this is done less by any form of legal enactment. It is a

---

<sup>147</sup> Malcolm Jewel, 'Legislator-Constituency Relation and the Representative Process (n 9) 304.

<sup>148</sup> Eulau and Karpis, *The Puzzle of Representation* (n 12) 248.

<sup>149</sup> Coleman, *Direct Representation Towards Conversational Democracy* (n 13) 10.

<sup>150</sup> Pitkin, *The Concept of Representation* (n 11) 209.

<sup>151</sup> Coleman, *Direct Representation Towards Conversational Democracy* (n 13) 10.

principle of practical politics that legislators, though not legally bound, are morally obliged to conform in all important decisions to the wishes of their constituents if it can be ascertained.

There is now that increasing prevalence of certain practical conventions<sup>152</sup> to hold representatives to be more accountable to the citizens.<sup>153</sup> Political theorists are of the view that elections can be used as a mechanism to make politicians more responsive<sup>154</sup> as the constituents see this as an opportunity to select good representatives and this is a way they tend to communicate their choice to the representatives. Also, constituents engage in retrospective voting based on the past performance of the representatives and they make their judgement based on the previous actions of representatives.<sup>155</sup> This gives them the power to sanction representatives who have not lived up to their expectations.

However, the views expressed here are not based on electoral responsiveness and accountability alone, because it is realised that there is an imperfect measure of the relationship between votes and electoral outcome.<sup>156</sup> This is especially so in a developing representative democracy like Nigeria. Therefore, a simpler means of measuring the responsiveness of representatives to their constituents could be by their substantive acts of representation. If the ethics of advancing public policy and acting in the interest of constituents is included in politics, this may create competition between different representatives who will provide incentives to secure adequate responsiveness and accountable representation.<sup>157</sup> An account of democratic representation that gives more weight to the norms and values of inclusion by mobilizing citizens to get their informed and critical participation will enhance the role that representation plays in a democratic polity and give the grounds with which to assess the performance of representatives. Thus, in measuring the actions of representatives, the criteria simply become responsiveness to constituents preferred interest, participation of citizen and accountability. Democratic representation needs to give weight to these values for the concept of representation to be effectively evaluated and measured. The next section examines how some of these models can be put to use.

---

<sup>152</sup> Stocks, What do Policy Switches Tell us about Democracy (n 118) 410.

<sup>153</sup> Andrew Rehfeld, Representation Rethought on Trustee (75) 218.

<sup>154</sup> Maravall Jose Maria, Accountability and Manipulations: in Adam Przeworski, Susan Stokes and Bernard Manin eds. Democracy, Accountability and Representation (1999) 155.

<sup>155</sup> Manin, (n 44) 9.

<sup>156</sup> Rehfeld, Towards a General Theory of Representation (n 37) 219.

<sup>157</sup> Dovi (n 3) 18.

### *1.4.3 Representation and Allocation Responsiveness*

The need for representatives to be equipped with standards that help differentiate good from bad representation when they act on behalf of their constituents has been noted.<sup>158</sup> The question that needs to be answered now is how these principles can be included by representatives so that their actions can be effectively evaluated. In doing this, the criteria to be used to measure responsiveness as a systematic property of political representation needs to be ascertained. The allocation of physical projects and the manner in which they are provided by representatives are used in this instance to explain whether they have been responsive to their constituents or not. These are specific instances of responsiveness as against mere speculations of conditions in which representatives stand ready to be responsive. In such situations, what merely shows is a potential for representation rather than an act of representation. The act of representation is seen in the actual activity and here participation of the constituents also becomes important. This helps to determine how well the priorities of citizens match the actions of the representatives to the point that they both agree to the same agenda. In doing this, the citizens' activeness and their interests on the one hand and the representatives' perception and their actions on the other need to be examined in order to come to a conclusion that they are in fact in agreement. This will be regarded as the target for responsiveness. This makes the proof of representation that is sought to be concrete transactions that are based on citizen participation and interest articulation.

Looking at the activities of representatives to see the extent to which these factors actually come to play, will require reflecting on the idea that representational focus of the representative may vary in terms of nation, region, state, district or other territorial level of society.<sup>159</sup> With the CDF, the focus of representation is the constituency as this is where the acts of representation need to be performed. This means that while it may be possible to find other focus with regards to policy responsiveness, the same cannot be said for the allocation responsiveness as it always has its main target. As such, the representational acts of the representatives can be viewed in terms of individual acts of responsiveness in their respective constituencies. The representative who is in an elevated position is meant to take the initiative, the effects of which can truly be seen in the fusion of citizens participation and representational

---

<sup>158</sup> Dovi (n 3) IX.

<sup>159</sup> Eulau and Karps, *The Puzzle of Representation* (n 12) 248.



ideas. This is what gives an understanding of how the legislators represent their constituents using the CDF.

Since the focus of the CDF is the constituency, it serves as an added incentive to the representatives as the performance of constituency service has been argued to be an effective way to be responsive to constituents and this has a high benefit for the representative.<sup>160</sup> With the CDF, legislators are able to distribute services or projects in their various constituencies, but the point in being responsive is whether in the allocation process they seek to anticipate the needs of their constituents or in fact stimulate their wants.<sup>161</sup> For this purpose, citizen participation has been highlighted as an important element in representation and responsiveness to their interests. Hence, mere participation of the constituent is not what accounts for responsiveness, rather what is being emphasised here is that they must be present in order to choose for themselves what is in their interest and not the representative choosing what they think will be in constituents' interest. This will also give simpler measurement criteria and make it possible to look at how some of these decisions to allocate services or projects under the CDF are arrived at. It will bring to focus those that were done with constituents input and those that were done on the assumption of what is good for the constituents by the moral judgement of the legislator. Thus, the CDF may be an incentive to represent, but it places an obligation on representatives to provide goods to constituents. In doing this, they may be faced with some challenges. The next section discusses some of the problems that a representative may face in the course of representing constituents.

#### *1.4.4 Problem of Heterogeneous Constituency*

In trying to describe the concept of representation in ways that are appropriate, one pretentious aspect of representing constituents' preferences is the fact that the representatives have multiple constituents and they show heterogeneity of opinion. This inherent feature of the study of representation tends to complicate the issue of articulating constituents' interest. The difficulty is in coping with a large number of constituents with varying interests which has made theorists conclude that constituents have limited capacity to influence decisions and outcomes and are not capable of making effective policy choices to be communicated to the representative.<sup>162</sup>

---

<sup>160</sup> Yakubu Dogora, Why FG Must implement Constituency Project, (June 2016) 3 [www.orderpaper.ng](http://www.orderpaper.ng)

<sup>161</sup> Eulau and Karpis, The Puzzle of Representation (n 12) 245.

<sup>162</sup> Wahlke John 1971 Policy Demands and System Support, The Role of the Represented, British Journal of Political Science Vol 1 (July 1971) 271-290.

For this reason, Eulau has suggested that given this limited capacity on the part of the constituents, representational theory ought to first deal with the assumption of a status difference between the representative and the constituents rather than ignore its existence.<sup>163</sup>

There is no questioning the fact that a problematic situation arises where the representative is dealing with certain policy areas. However, in the allocation of constituency project, the assumption is that, representatives are able to arrive at what seems to be an acceptable summary of the will or interest of the constituents if they have access to them. Philip and Roy are of the view that there is likely to be perfect homogeneity of the electorate and no representational problem if it is a single constituency and the matter is, maybe, between two choices.<sup>164</sup> This is highly likely if the member is drawn from that constituency, in which case doubts will be minimal.<sup>165</sup>

However, irrespective of how few the choices might be, situations may arise where the representative might not be able to access the clear will of the people such as where they may be equally divided on the choice of intervention that they want the representative to bring to their community. In such a situation, the preference may be undefined and impossible to ascertain. This scenario points to the fact that realistically there are situations where it might be difficult or impossible to get constituents wishes and further their interest in order to achieve representation. It is important to acknowledge this one realistic point of imperfect articulation of interests. Therefore, the task of this thesis is to assess the relative significance of these variations in the implementation of the CDF policy to determine the extent to which they hinder the legislator's capacity to represent. Perhaps an explanation that can be considered may be that, it is unlikely that in a single member constituency, a situation where there is complete disagreement as to what needs to be done may arise. This is because constituencies are mainly defined by specific territorial districts. Hence, the within-district variations are not always so strong that they make such a difference in representation. Also, the objective of the use of this model is that, it is in consonance with the reality of political representation because its relevance actually depends on the constitutional setting. Where it is found that there is no consistency, then the system of representation that is in place can be said to be less democratic than we actually may think. This is because the ideal representative democracy should be that

---

<sup>163</sup> Eulau and Karps, *The Puzzle of Representation* (n 12) 237.

<sup>164</sup> Converse and Pierce (n 48) 512.

<sup>165</sup> *Ibid* 514.

which identifies with the interests of the people. Having noted this point of deviation, it is important that emphasis be on the individual action and how ready they are to make their action count as representation. This brings us to the next point of discussion, to examine the willingness of the representatives themselves to represent the interests of their constituents.

#### *1.4.5 The Will to Represent*

The assumption is that, before legislators put themselves forward for election, there is the desire or will to represent those who will elect them into office. The actual motivation for this may not be known. It could be a form of moral obligation or fear of electoral reprisal. The fact is that almost every representative has that concern for the constituency and this is regarded as a *sine qua non* for popular representation.<sup>166</sup>

This is true for a definition of representation which is focused on the interests of constituents. The question is whether there is an action and the action is for the constituents and whether their interest is considered through democratic consultation with them. If it is, then representation is achieved, on the other hand, if it is not then there is no representation. Thus, a hypothetical case of a representative who upon election, leaves for the city without having any more relations with constituents can hardly be said to be representing their interest. At best they can vote according to their conscience in parliament which may coincide with the will of the people. Such a 'hit or miss' pattern of representation goes contrary to democratic principles. According to Pitkin, in acting for constituents, the representative needs not be found persistently at odds with the views of the constituents, a conflict about what is to be done should not take place and if it does an explanation is called for.<sup>167</sup> Therefore, a society is entitled to discriminate against such accidental or unintended sources of representation as they are undemocratic.

### **1.5 Conclusion**

This introductory chapter examined the concept of representation looking at its origin in history from the Greek city-states where it initially started as direct democracy and gradually transformed itself into representative democracy. It traces representative democracy in Nigeria to the pre-colonial era and analysed how representative democracy finally came to take root in

---

<sup>166</sup> Converse and Pierce (n 48) 501.

<sup>167</sup> Pitkin, *The Concept of Representation* (n 11) 209.

the system. The examination of this history has implications for the understanding of representation in contemporary society today.

In determining representative behaviour, it has explored the delegate model which says that the representative needs to act on the instruction of their constituents and the trustee model which says that representatives acting on behalf of their constituents are meant to rely on their own good judgement. Also, the responsible party model has been examined and the position held by this view is that the representative in acting on behalf of constituents will follow the programmes of the party under which they were elected. Overall, it is argued that representatives depending on the issue they deal with can either act as delegate or trustee. The responsible party model has some limitations as a model that can be adapted to Nigeria due to the weakness of the political parties. However, the instance where such a model is strong tends to be in the voting processes in the Parliament.

In understanding the role orientation of the representatives, the thesis looks at the substantive acts of representatives. It argues for a model of interest articulation and responsiveness as what can properly guide the actions of representatives to act in line with the preferences of their constituents. In addressing the interest of constituents, it acknowledges the fact that there are difficulties that may be posed as a result of the heterogeneity of the constituents. However, because the focus of the research is on the constituency district, it is argued that the representatives might not be faced with such problems as the within district variations might not be so significant.

Thus, the argument is that, theorists in their study of representation have not focused on the acts of the representatives in defining what it means to represent. Concentration has been on roll call voting and this has proved inadequate. Beyond roll call voting, there has been a considerable problem in researching the question of representation of interest of constituents. Given the concerns about the limits of using this in the investigation of attitudes, interest and the extent to which the policy priorities of the legislators match the preferences of the constituents, it is important that a new criterion be used. This research uses the model of interest articulation and responsiveness as a measure to evaluate how representatives are able to represent in the allocation of CDF projects and be able to act in line with the preferences of their constituents.

It is argued that, representation ought to be seen as a political practice. In this way, democratic principles and participation become inherent. This makes it possible to bring in the idea of how representatives relate with their constituents, how interest should be recognised and the channels through which citizens can make their voices heard and hold their representative accountable. In this context, representatives should feel that their positions are dependent on popular opinion of the people<sup>168</sup> whom they represent as they have an obligation to take into consideration the preferred interest of these people in the course of the performance of their function. This is what connects modern form of representation in a democratic government and would yield a viable theory under the complex conditions of our society today.

The next chapter examines the extent to which the lack of understanding of what it actually means to represent affects the way representatives represent. The different meaning of representation is analysed and the concept that gives a meaning that enables us to assess representative acts is also discussed.

---

<sup>168</sup> Stokes, *Philosophy* (n 68) 406.



## CHAPTER TWO

### UNDERSTANDING THE CONCEPT OF REPRESENTATION.

#### 2.1 Introduction

Representation is a word that is used in passing in every day context and as such its meaning is fluid. Pitkin in her detailed survey of what the concept means came to the conclusion that although, the concept of representation has an identifiable meaning, it was “a single highly complex concept that had not changed much in its basic meaning since the seventeenth century”.<sup>169</sup> However, if conceived of in its political sense, what it means to represent and the action that accounts for proper representation are all important if we must correctly define it. In other words, to develop a deeper understanding of the concept, it is important to look at its various components before evaluating the acts that are meant to be performed. This consideration is necessary because like some other words the concept of representation seems to describe quite different behaviours in different circumstances while still possessing a unifying thread of meaning and this is due to how the concept is understood.

This chapter focuses on the multi-sided idea of representation. It sets out to discuss the four-part account of Pitkin's components of representation by further developing a comprehensive idea of the concept that is based on the understanding of the process and the institutional arrangements that completes it. It considers the formal authorization and accountability of representatives as well as their representativeness. It also emphasises the substantive acts of the representative as what is relevant for representation and what justifies a vertical relation between the citizen and the state.<sup>170</sup> I will show here that the different aspects of representation though distinct can be used to lend clarity to the concept. This approach enables us to have a basis for a thorough study of why representatives fail to represent. If we consider that what representatives do and how they do it depends on how they see themselves and their world and this in turn depends on the concept through which they see,<sup>171</sup> then it becomes obvious that knowing what it means to represent would determine to a large extent the representation that they offer.

---

<sup>169</sup> Pitkin, *Concept of Representation* (n 11) 8

<sup>170</sup> Urbinati (n 19) 759

<sup>171</sup> Pitkin, *Concept of Representation* (n 11) 1

Theoretically, the modelling of the concept of representation has caused disagreement among Political theorists and it is obvious that most of these disagreements are not so much about the nature of political representation as such, but about the concept that is used to study it.<sup>172</sup> Therefore, unlike other research, in exploring the concept of representation, I take into account how representation comes about, what a representative must be like, before elaborating on the substantive aspects of acting or representing. This has implications for the understanding of the relationship between the representatives in their decision-making activity and those they represent.

Pitkin analysed four forms of representation: the *formalistic*, *descriptive*, *symbolic* and *substantive*. Each gives a distinct explanation of the concept of representation, none of which are complete in themselves to give an explanation of the concept. Yet each explanation generates a set of criteria by which representation can be judged and this contributes in distorting our understanding of the concept.<sup>173</sup> Theorists often try to make this distinction obvious by pointing out and proposing different equilibrium between them.<sup>174</sup> In doing so, they tend to capture some aspects of the concept and leave out others which creates a gap in the process. The fact is, representation must be explained having in mind the conditions that render it legitimate.<sup>175</sup> For these views to keep up with the pace of current empirical findings there is need to piece them together to see how they can be used to lend clarity and precision to a comprehensive definition of the concept. In practice, several of these forms will often mix together to form the complete picture of representation and at the core of it lies the relational element between the representative and the represented.

Thus, representation depends on how it is conceived and as a human idea it is entitled to be assumed by some and questioned by others. However, the question as to whether representation is taking place or the acts that would count as evidence of representation are all pertinent to the actual representation.<sup>176</sup> Each of these forms can be used as a way of understanding and justifying the whole concept of representation. What will offer a deep understanding of representation is to bring all four aspects together. Rather than distinguishing between them it

---

<sup>172</sup> Rehfeld, 'The Concept of Representation' (n 75) 631

<sup>173</sup> Pitkin, *Concept of Representation* (n 11) 108.

<sup>174</sup> Andrew Rehfeld *Representation Rethought: On Trustees, Delegates and Gyroscopes in the Study of Political Representation and Democracy*, *American Political Science Review*, Vol 103, No 2 (May 2009); Jane Mansbridge, *Clarifying the Concept of Representation*, *American Political Science Review*, Vol 105, No 3 (Aug 2011).

<sup>175</sup> Rehfeld, "Towards a General Theory of Political Representation" (n 139) 3.

<sup>176</sup> Pitkin, (n 11) 209.



is better to link them up, this way it gives a complete picture of political representation in a democratic setting.

Mansbridge suggests that, the practice of representation cannot be captured by a simple promissory model. Such a practice is better understood by the use of looser ways of describing the relationship.<sup>177</sup> For instance, there are important consequences for how representative relationships come to be and how representatives represent once they assume that position. The understanding of the relational quality of the representation, its ambiguity, and social construction<sup>178</sup> are all important in telling whether what is dealt with is political representation in the democratic sense or some other forms of representation. This is because representation takes place in other fora, either separate from or in addition to political representation.<sup>179</sup> As such, these different concepts of representation are not altogether a mistake of classification or situations where the representative fails to achieve an ideal. Rather, where aspects are put together they are able to lend clarity and precision to the whole concept of representation in a democratic sense.

Although, the four forms will be analysed, emphasis will be on the substantive representation because that is where the action of representing takes place. The assumption here is that, only those who are entitled to represent can actually do so in the political sense of the word. An account of representation which is sufficient enough to respond to the political practice in any given society should also be able to identify the democratic elements and the institutions that uphold them. This will give a sense of the criteria with which to judge representation for what it is and what it is able to achieve. The fact that these separate forms can give rise to different ways of representation also means that they should be given consideration. That way, we can see their relational elements and bring together those aspects that will give a clearer understanding of the concept representation. This is necessary since the definition of representation determines the kind of goods and policies for which the representatives advocate and provides an argument that is likely to produce a better outcome. Thus, good definition of representation cannot simply say that there is a representative system when the kind of

---

<sup>177</sup> Jane Mansbridge, *Rethinking Representation* (134) 515.

<sup>178</sup> Dario Castiglione, Mark E Warren, 'Rethinking Democratic Representation: Eight Theoretical Issues', Centre for the Study of Democratic Institution, University of British Columbia, (2006) 6.

<sup>179</sup> Karen Celis, Karen, Sarah Child, Johanna Kantola and Mona Lena Krook, *Rethinking Women's Substantive Representation*, *Representation*, 44,2, (2008) 101.

representation taking place is not known. The proper conduct of the representative and how it is institutionalised are all needed to complete the meaning.

The other rational aspect that needs to be considered is that, all relationships are socially constructed but the way they are structured may make it difficult for us to give a clear definition to it. Representation is a construct of group opinion and ideologies which is evident in what is represented in the political process whether it be people, their interest, characteristics or values.<sup>180</sup> If what is described is democratic representation, then it evolves based on elections of political representatives and a universal franchise which enables democracy to take its root. Other elements of accountability and representativeness are all crucial in constituting democratic practice.<sup>181</sup> It cannot be divorced from its institutional arrangement and be conceived at some level of abstraction<sup>182</sup> as Pogge infers. Therefore, an account of representation that is sufficiently generic to respond to the general political practice and institutions, as well as specific enough to identify the democratic elements is what is needed to enable an understanding of the concept of representation. The next section examines each of these individual forms and evaluates their peculiarities, pointing out how they add to our understanding of political representation which acts in the interest of the represented.

## 2.2 Formalistic View of Representation

The formalistic view of representation is seen in terms of two sub-divisions: the giving of authority (*authoritarian* view) and the holding to account (*accountability* view). The authoritarian view states that representatives have the right to act as a result of formal authority that they have been invested with by way of election or selection.<sup>183</sup> There is no special activity, obligation or role they need to comply with, they act based on their own discretion and this tends to have binding consequences on others.<sup>184</sup> The accountability view, on the other hand, agrees that representation is a form of activity and it entails responsiveness to the represented. They also hold the view that representatives are held to account for their actions and this they see as the essence of representation.<sup>185</sup> What is important to theorists of this view is that

---

<sup>180</sup> Castiglione & Warren, (n 178) 4.

<sup>181</sup> Nadia Urbinati, *Continuity and Rapture: The Power of Judgement in democratic Representation*, constellations 12 (2005) 196.

<sup>182</sup> Thomas Pogge, *Self-Continuing Constituencies to Enhance Freedom, Equality and Participation in Democratic procedures* (2002) 50.

<sup>183</sup> Pitkin, *Concept of Representation* (n 11) 38.

<sup>184</sup> *Ibid* 39.

<sup>185</sup> *Ibid* 55.

representatives are subject to re-election or removal at the end of their term.<sup>186</sup> They are more interested in the actual investiture which is the arrangement as to how representation is initiated and terminated rather than in the activity of representing in itself. The giving of authority and the termination of that authority forms the core of the relationship between the representative and the represented. The implication is that, the represented becomes responsible as though the act of the representative is their own.<sup>187</sup> This is as long as the representative acts within the limit of the authority that is given.

The problem with this view is that, it considers anything done within the limits of the authority as representation. No account or reason is given for why a particular action may tend to be more representative than the other. Here also, the legal attribution rather than the action of the representative is what seems to be important. Theorists of this view treat issues of voting, procedures of how votes can best be counted and the electoral context resolved to assume good representation.<sup>188</sup> The criterion here seems to be election which grants the authority and makes the legislator a representative. Voters are seen to always grant this mandate after every election and this remains for the term of office of the representative. For such an authorisation to be effective, it has to be legitimate in itself so far as the laid down institutional procedures for such a representative to emerge has been followed.

Hobbes is a strong proponent of this view,<sup>189</sup> others are the *organschaft* theorists<sup>190</sup> who, unlike Hobbes, do not see every government as representative but still fail to distinguish one representative act from the other. With this limited view, they are only able to show a way that states represent which is by way of election or how representative selection is made. Mansbridge who also shares this view made a distinction between *sanction* and *selection*. She suggests that, the selection model is a more appropriate analytical tool for the understanding of the concept of representation. She states that representatives with self-reliant judgment, who are less responsive to sanctions, are representing through a principal-agent relationship that works best through a selection rather than a sanction model.<sup>191</sup> The selection models is based on the view that, constituents choose representatives who are internally motivated and whose

---

<sup>186</sup> Pitkin, Concept of Representation (n 11) 55.

<sup>187</sup> Ibid 39.

<sup>188</sup> Rogowski, Representation in Political Theory and in Law (n 65) 405.

<sup>189</sup> Pitkin, Concept of Representation (n 11) 380.

<sup>190</sup> Hans J Wolff, *Organschaft and Juristische Person Berlin* (1934)37- 414.

<sup>191</sup> Jane Mansbridge, 'Clarifying the Concept of Representation', *American Political Science Review*, Vol 105 No 3 (2011) 622

views are aligned with theirs, rather than engage in the monitoring of representatives who are influenced only by sanctions and reward. These ‘gyroscopic representatives’ as they are referred to, are not altogether unresponsive to sanctions; rather, the selection seems to be the core while the sanctions are at the periphery.<sup>192</sup>

Although proponents of this view hold that the requirement of both the representatives and the constituents actually aligning in interest is demanding, there is still the possibility of removal of the representative during election if the constituents are not satisfied. The effect of using sanctions as a threat to the representative to do what they may not have done for the fear of being removed is replaced with having representatives who are internally motivated to serve and most likely share the interest of the constituents.

It is clear that the formalistic view does not preclude the representative from acting in the interest of the constituents. It is relevant in the understanding of representation if it is seen from the perspective that the representatives have to be authorised first before they begin to act in the interest of those whom they represent. The act of representation begins at the point where the representative is authorised and continues as they act on behalf of those they represent. This however, is not without accountability as they must continually give account to them and act on behalf of their preferred interest. It is in this sense that we can distinguish true and genuine democratic representation. It is wrong to say that representatives can be given authority to act without any obligation or some form of control on how they carry out their activity. No representative should be completely non-responsive to sanctions. If representation is restricted to the formalistic view alone, it will only tell the representative’s capacity to bind others and not the obligation to conform to some standards or acts in accordance with certain special considerations.<sup>193</sup> Speaking of representation in the formalistic sense alone means that representation has been invoked but not necessarily that the act of representing is actually taking place. It is in the actions of the representative that the act of representation can be determined not in the mere conferment of the powers to represent. There is need to distinguish the authoritative aspects of this definition of representation from that of Hobbes which sees representation as a means of reinforcing absolute sovereignty and whose action is legitimate and binding on those whom they represent, or in terms of the ascription of rights and the

---

<sup>192</sup> Jane Mansbridge, ‘Clarifying the Concept of Representation (191) 622.

<sup>193</sup> Pitkin, *Concept of Representation* (n 11) 49.

consequences of the action of the one who acts as ascribed to someone else other than the one who acts.

In representation, there are formal rights and consequences that emanate from the relationship between the representative and the constituents. This has to do with the substantive contents of what the representative does in the course of representing. By restricting the view of representation to authorisation without taking into consideration other aspects of the word, representation is incomplete as such there is the need to relate it with what the representatives do. This is what will enable an assessment of whether the representative is representing well or not. This view is essential in determining the limits and responsibility of the representative, but, it does not tell much about the actual nature of representative politics in a democratic society.<sup>194</sup> It is for this reason that the view has been criticised as incomplete, unrealistic and limited in value.<sup>195</sup> Its problem lies in the fact that, while in office, all the actions of the representatives are counted as representing irrespective of the quality of that action.<sup>196</sup>

### **2.3 Descriptive View of Representation**

Descriptive representation is said to be when the outward physical appearance of the representative resembles that of the constituents.<sup>197</sup> The representatives here are expected to think, feel, reason and act like their constituents. Advocates of this view feel that without the legislature being a reflection of the society there cannot be true representation.<sup>198</sup> This view is more inclined with the composition of the legislature and how the members correspond to or resemble what they represent. What is most important here is that the constituents are made present and they are being heard.

According to JS Mill, a representative body is an arena in which each opinion in the nation can produce itself in full light.<sup>199</sup> Going by this, representation is seen to be more attuned to minority concerns as members who share constituents' concerns are elected into office.<sup>200</sup> Downs who also view representation in its descriptive sense, perceive the job of the

---

<sup>194</sup> Nadia Urbinati, 'Political Representation as a Democratic Process (n 127) 19.

<sup>195</sup> Malcolm E Jewell, *Representation in State Legislatures*, the University Press of Kentucky, (1983) 304.

<sup>196</sup> Pitkin, *The Concept of Representation* (n 11) 53.

<sup>197</sup> *Ibid* 60.

<sup>198</sup> *Ibid* 62.

<sup>199</sup> J S Mill, *Representative Government* (1861) Chapter 5, 239-240, 1861, [www.constitution.org](http://www.constitution.org) accessed January 2016.

<sup>200</sup> Katherine Tate, *Black Faces in the Mirror: African Americans and Their Representatives*, Princeton University Press (2003) 43.

representatives as an agent of the political party with the duty to tell the party what the people want and on the other hand tell the people about the party.<sup>201</sup> Downs approach to representation is from the economic point of view and his argument is consistent with the point that, where the people have no will or do not know what they want, then they are not represented.<sup>202</sup> Representation in this sense can be equated with giving of information and what makes representatives good is how well they are able to give information.<sup>203</sup> The belief is that, the more descriptive representatives are in the system, the more the feeling of alienation among constituents tend to decline. Thus, a sense of contentedness is created amongst the constituents and this serve as a motivation for engagement of citizens.

However, it has been argued that attempts to make descriptive representation consistent with the principles of democracy to the point that it will be proportional has proved to be elusive, useless and insincere because it really does not fill the gap between the representatives and their constituents.<sup>204</sup> Critics have also argued that proponents of this view are mainly preoccupied with the composition of the legislature and are ignorant of the importance of governance.<sup>205</sup> This view of representation seemingly neglects political actions and this makes it vulnerable to criticism.<sup>206</sup> Although, representation here seems to have moved from just ‘standing for’ or mere resemblance with the citizens because the giving of information can be said to be some form of activity, it neither entails authorisation nor accountability. It is only restricted to the act of talking. If we consider the different range of activity that might be subsumed in the act of representation, we will come to the conclusion that representatives are not elected just for the mere purpose of talking. As a part of government, they are meant to govern in the interest of the constituents and apart from talking, they have to be seen to physically engage in activities that bring good to their constituents.

Recent studies have shown a link between descriptive representation and policy output.<sup>207</sup> It has also been found to lead to the inclusion of minorities.<sup>208</sup> However, representation as a resemblance of the people raises the question of what characteristics are worthy to be reflected

---

<sup>201</sup> Anthony Downs, *An Economic Theory of Democracy*, New York, Harpers (1957) 89.

<sup>202</sup> *Ibid* 88-91.

<sup>203</sup> Pitkin, *Concept of Representation* (n 11) 83.

<sup>204</sup> Urbinati, *Representation as Advocacy* (n 19) 759.

<sup>205</sup> Pitkin, *Concept of Representation* (n 11) 64.

<sup>206</sup> Carl J Friedrich, ‘Representation and Constitutional Reform in Europe, western Political Quarterly 1(June 1946)128.

<sup>207</sup> Derek J Fowler, Jennifer L Merolla and Abbylin H Sellers, ‘The Effects of Discriptive Representation on Political Attitudes and Behaviours’, *Western Political Science Association* (March 2008) 4.

<sup>208</sup> Preuhs Robert, *Descriptive Representation as a Mechanism to Mitigate Policy Backlash, Latino incorporation and Welfare Policy in the American State, Policy Research Quarterly* 60(2), (2007) 287.

in the course of representation and this tends to vary with time and place. Constituents vary with regards to their religious, ethnic and socio-political affiliations and this in itself is very fluid as people tend to change all the time. Therefore, if this resemblance is used as a justification for representation, then it poses a problem because the degree of accuracy will no longer guarantee the degree of similarity of action.<sup>209</sup>

Eulau has argued that, the characteristics of legislators with regards to their relations to constituents determine to a large extent what the representatives will do.<sup>210</sup> Therefore, in line with this argument, what is essential is to show how representatives act in such a way that the interests of constituents are taken into consideration. When we assume that people's characteristics will determine their actions, we ignore the fact that the best fit in terms of resemblance may not necessarily be the best representative in terms of government activity.

Viewed from the descriptive sense alone, representatives do not have to act for others rather what they do is to stand for them. The legislature is said to be representative first, because voters tend to select people of their own kind to represent them in office. They can identify with these representatives because they share certain characteristics in terms of socio-economic and may be intellectual attributes, but this can only be interpreted as their representativeness. It does not show the representative as doing anything while in office. There is need to know how this representativeness relates with representing in the interest of constituents. The question as to whether representatives are responsive to the preferences of their constituents must be seen in their actions and not in what they stand for or look like. If descriptive representatives are more in tune with the needs of their constituents, then they will likely attain a high evaluation and be said to represent well. Otherwise, the benefit of a descriptive representative only goes to show the dyadic relationship that exists between representatives and constituents, and nothing else.

Generally, the characteristics of the representatives can be discussed because it may in some way determine what the representatives will do. This has to be shown in relevance to their behaviour and how it affects their actions and the content or the laws they turn out at the end of the day. It is in this way descriptive representation can be essential and in it is the obligation

---

<sup>209</sup> Pitkin, *The Concept of Representation* (n 11) 88.

<sup>210</sup> Eulau, Heinz, *The Role of the Representative: Some Empirical Observation on the Theory of Burke*, *American Political Science Review* LIII September, (1959) 743.

of accountability. Linking it with the formal view might make this definition of representation more plausible as people can only be held accountable for what they have done and not for what they are. This view by itself may not tell us what representation fully is, but can still account for a part of the explanation for what political representation in a democratic society means. Proponents of this view may seem concerned about the composition of the legislature, it could be argued that they care about this composition because they feel that it will determine the activities and actions which will invariably reflect or depict the interest of the citizens they represent. This reflects the opinion of Mill when he says that “it will enable all views and criticisms to come to light”.<sup>211</sup> Thus, representation does not just have to be a reflection, correspondence or an accurate depiction of something rather, it should be capable of action and that action should be in the interest of those it represents.

Although, using how the legislators correspond accurately to their constituents to evaluate how they can reflect or act in their interest has not been very prominent in political studies. It is of importance in telling us how they are able to effectively engage with their constituents because they can identify with them. This no doubt has been found to lead to high levels of efficacy and trust,<sup>212</sup> which are all valuable qualities in any representative democratic system. It will no doubt, make constituents to feel more empowered and to think that their needs are being represented. Invariably, an argument can be made that, the total community of interest has a right to participate in the deliberation that goes on in parliament and that is representation.

As Rehfeld argues, a major problem plaguing political representation is the exclusion of constituents and one way of dealing with this is to increase the descriptive similarity between legislators and the people it excludes.<sup>213</sup> By doing this, representatives will have the relevant information that will enable them to make good decisions with which to represent their constituents well. This will give them the proper perspective since they are purported to share the same characteristics with those they represent. This can also be used to increase the diversity of legislators in the house.

Given the importance of the use of descriptive representation to increase the diversity of the parliament, its relevance cannot be overlooked. At the same time, if taken on its own it does

---

<sup>211</sup> John Stuart Mill, *Utilitarianism, Liberty and Representative Government*, J M Dent (1947) 260.

<sup>212</sup> Fowler, Merolla and Sellers (n 207) 4.

<sup>213</sup> Andrew Rehfeld, *The Concept of Constituency, Political Representation, Democratic Legitimacy and Institutional Design*, Cambridge University Press, (2005) 14.



not give the full meaning of what representation entails or enable us to distinguish good from bad representation. This view of representation as it is suggested could be used for the purpose of supplying information about the represented. That is, if we accept that representation is making present something that is absent.<sup>214</sup> However, there are no substantive acts to it as it has the implication of assuming that governance is not for the legislature. It assumes that the legislature is only there to give assent to questions put before them by the executives which implies that governance is only with the executive arm. This in fact is not the correct position. Focus on the interconnectedness of the descriptive and substantive dimensions of representation is necessary if we must properly define the concept. The discussion will now focus on representation as a symbol and the extent to which it adds to our understanding of representation.

#### **2.4 Symbolic View of Representation**

The symbolic view of representation like the descriptive view has also been conceived as 'standing for'. This view regards representatives as *symbols* that represent constituents who, although absent, can be made present.<sup>215</sup> Representatives are seen in terms of what they are or what they stand for, but not in terms of any activity. This form of representation can be taken to be central or definitive as writers of this view consider representation in theoretical terms to be seen as a symbolization of something just as a flag represents a nation.<sup>216</sup> In this sense, symbolic representatives are meant to express appropriate feeling for what they stand for. Their connection to their constituents is not in terms of resemblance but in terms of people's beliefs and attitudes. Representation here is borne with recognition and the conditions that brings it to existence are irrational psychological responses. This is arbitrary in the sense that its relationship with those it represents is hidden. The crucial test of representation here is whether the representative is believed in, and the basis of such belief can be said to be irrational as there may not be any justification for such a belief. This conception invariably makes political representation a state of affairs rather than an activity. If the constituents believe that the representative is representing them, then representation suffices, if not then there is no representation. All that is necessary would be the acceptance of the constituents as against what the representative does in the course of representation. Representatives have to be believed in and such belief must be fostered or created in the minds of those they represent.

---

<sup>214</sup> Pitkin, Concept of Representation (n 11) 122.

<sup>215</sup> Ibid 92.

<sup>216</sup> Ibid.

Looking at it from this sense, one may come to the conclusion that all political leaders are representatives as long as those under their authority accept them to be so.<sup>217</sup> This means that the symbol is supposed to invoke or express a feeling appropriate to what it stands for. However, what needs to be asked is the kind of response representatives invoke in those they represent. The answer to this may be that representation is conceived here not merely as a proxy for their objects but as a vehicle for what it symbolises.<sup>218</sup> Put in this sense, representation can be said to be a condition when characteristics and acts of a person in a position of power in the society is in accordance with the desires of the represented. What is important here is the satisfaction of the represented. However, there is the need to understand that this feeling of satisfaction may exist in some individuals while it may be lacking in others. Therefore, to generalise it as a condition for representation in a whole nation may seem problematic.

The main concern with this view is that, it looks only at the attitudes and beliefs of the represented to establish whether representation is taking place or not. Representation is measured by the state of mind and the feeling of satisfaction or belief of certain people. It does not matter how the constituents are kept satisfied, whether it is in how the representatives look or with what they do. Representation here has nothing to do with the accurate reflection of the will of the people. It is conceived as working on the minds of people who are to accept what that symbol stands for rather than the symbol itself.<sup>219</sup> This concept of representation is rather passive. What should account for representation is how representatives try to make themselves acceptable to the people by their actions which are in line with the needs of constituents. This is what will give the justification for the representative being recognised as such. The representative does not seem to care for what the constituents want. Rather they tend to make them conform to their own, that is, the representative's views. Whatever means that is effective in achieving this purpose is used to make constituents conform. This makes representation a situation where the leader exercises his power over the represented.<sup>220</sup> A distinction has to be made between practical activity that is in the interest of constituents and expressive symbolic actions because these are merely ceremonial functions. Representatives here are seen as not the active force behind the decisions that are made, rather they are merely symbols of the office.

---

<sup>217</sup> John A Fairlie, 'The Nature of Political Representation', *American Political Science Review* XXXIV (April 1940), 237.

<sup>218</sup> Susan Langer, *Philosophy in a New Key*, mentor (1942) 49.

<sup>219</sup> Pitkin, *Concept of Representation* (n 11) 99

<sup>220</sup> *Ibid* 108

Though symbolic representation in some sense can be seen as an instance of representation, it does not give a full explanation of the meaning of representation. Using symbols to depict representation may be considered as working on the minds of people who are to accept what that symbol stands for rather than the symbol itself. This means that for a representative to represent symbolically such a representative must be believed in. That means members of the legislature must in the first instance be accepted by the citizens to be such representatives. If the characteristics and acts of representatives are in accordance with the desires of their constituents, then representation suffices. It must be noted however that this definition in itself imposes a restraint in terms of responsiveness to constituents. Interest responsiveness in this instance is difficult to assess as there are no acts or reasons for which the representative is accepted. It is worth noting that, it is not in terms of symbols alone that representation can be achieved. These symbols have a higher chance of acceptance from constituents when this acceptance is as a result of substantive acts done in constituents' interests. When people accept symbols or in this case representatives, there must be a reason why they accept them. Therefore, there is need to find that realm of action that representatives are engaged in to give substance to why they are so accepted. This form of representation is what is considered next.

## **2.5 Substantive View of Representation**

This view of representation is centred on the activity and the role of the representatives. It has been held to be the most important dimension of representation.<sup>221</sup> Representation here is seen as a certain characteristic activity that is defined by certain behavioural norms or certain things that the representative is expected to do which differentiates it from other forms of representation. The status of the representative here is defined not just in terms of formal arrangements that initiate or terminate the representation or symbols or descriptive samples, but in terms of the nature of the activity that is performed by the representative. It is this view of representation that will enable us to discuss the obligation of the representative as an agent or an actor for others.<sup>222</sup> This is what will tell us whether the representative actually represents the people.

Research on substantive representation owes much to Pitkin's work. Pitkin's understanding of representation places substantive acts of representatives at the heart of political representation.

---

<sup>221</sup> Eline Severs, 'Representation as Claim-Making. Quid Responsiveness', *Representation* Vol 46 No 4 (2010) 411.

<sup>222</sup> Pitkin, *Concept of Representation* (n 11) 115.

Her definition of representation as “acting in the interests of the represented in a manner responsive to them”<sup>223</sup> connotes that their actions are imperative for them to say they are representing. She argues that the reason their role is referred to as representative is because they are to speak for, act for and look after the interest of those they represent.<sup>224</sup> This definition sees representation as a guiding principle of actions. Based on this principle, it has been argued that there is a grant of power to men of special knowledge and capacity subject to responsibility for result.<sup>225</sup> Whether this is true for representation will depend on how representatives uphold and function in their representative capacities. Persons that are entrusted with the power to represent are entrusted with such power because it is thought that they will deliver and perform on behalf of those who entrusted them with the power. There is that reasonable expectation that they will bring back good to them. This somehow makes them accountable. This form of representation requires a special kind of behaviour and obligation which the representative is expected to exhibit.<sup>226</sup> As Pitkin argues, they are not expected to act in any way they like, but to act putting the interests of those they represent and not their own interest into consideration. They are expected to be more cautious and less willing to take risk and to act in the knowledge that they would eventually be held accountable for their actions.<sup>227</sup>

Although for some writers, representation might have no implication for accountability, but if seen in terms of looking after the interest of others, then that implication becomes obvious. This is true irrespective of the view of representation that is held. Once it is agreed that such powers are not meant for the use of the representatives themselves, but for others, it naturally follows that they must act in line with certain principles. This is because there is that presumed prior existence of the represented and the implications that representative acts must be for their benefit. Thus, a situation where people have expectation from the government arises and the government is meant to live up to that expectation.

There is no doubt that, the importance of a representative government is, in part, due to the diversity and complexity of modern societies which makes it expedient for people to have representatives especially in government. These representatives tend to have that specialisation of function that they are expected to bring to bear in the service to their constituents. As true

---

<sup>223</sup> Ibid (n 11) 209.

<sup>224</sup> Ibid 210.

<sup>225</sup> Henry Ford, *Representative Government*, New York, (1924) 147-148.

<sup>226</sup> Fowler, Merolla and Sellers, (n 207) 3.

<sup>227</sup> Pitkin, *The Concept of Representation* (n 11) 118.

representatives of the people, they do those things that their constituents would want them to do. This does not necessarily mean that constituents give the command to the representatives who must follow it at all times. What it means is that there are certain issues which are dear or of importance to the constituents and the representatives should not be seen to be deviating from those concerns or issues rather they should respond appropriately to them.<sup>228</sup> Here the autonomy of representatives is also being upheld. Its importance to representation lies in the fact that there may be situations where constituents' preferences may be incoherent or even changeable over time and in conflict with their true levels of interests. In such situations it becomes the responsibility of the representatives to judge those potential conflict and practical constraints through a process of participation and deliberation with constituents and arrive at an agreeable course of action.

It follows then that representation is not a one-off arrangement, it is not an 'event'. It is a 'process'<sup>229</sup> which entails constituents entrusting their affairs into the hands of representatives at various intervals through periodic elections. After the elections, there is still that constant engagement with constituents in order to keep in touch with their interests. This connection will enable constituents to evaluate the actions of representatives to see how well they perform. Given the importance of this function, there is need for such standard of accountability without which the acts of the representative cannot be measured.

Classical theories on political representation have argued that citizens entrust the authority to act on their behalf to representatives who should be free from the wishes and opinion of the people.<sup>230</sup> They argue that representative government by its essential nature is meant to be like a trusteeship.<sup>231</sup> This school of thought is of the view that the nation entrusts the Parliament to act on its behalf as a trustee and it exercises its powers under the terms of that trust. The individual members are said to hold that trust as well and are expected to fulfil it.<sup>232</sup>

However, it can be said that since trust is a legal arrangement that should be for the benefit of the beneficiaries, then invariably a trustee can be held accountable and must be responsible to

---

<sup>228</sup> Dovi (n 3) 1.

<sup>229</sup> See the distinction in, C. Stefanou (2007), *The Dynamic of the Maastricht Process*, Bruylant-Sakkoulas, Brussels-Athens, pp.16-17.

<sup>230</sup> Henry J Ford, *Representative Government* (New York 1924) p.148.

<sup>231</sup> Henry J Ford, *Representative Government* (n 230) p.148.

<sup>232</sup> For example, John Staute Mill, *Representative Government* Chapter 12 p.318, in *Utilitarianism, Liberty and Representative Government* (1947) pp. 72, 143-145.

administer such trust to the benefit of others. In the same manner, it is that feeling of expectation and obligation that surrounds the investiture that will elicit from the representative the desired behaviour that will make them act in line with the terms of that trust and in the interest of constituents. This is implicit in the substantive notion of representation, as it connotes that the power of government given to representative is meant to be used for the benefit of others and not for themselves. They have a duty to act in a certain way. In doing this the interests of citizens must be taken into consideration.

Invariably, the concept of representation is useful to us when we talk of humans and how their actions are involved rather than as symbols of abstractions like the symbolic view present, or as notions of resemblance as the descriptive view present. The substantive view is the view that is invoked when a person is formally ascribed to act as a representative. It is also this view of representation that tends to give the representatives the right perception of what is required of them as representatives<sup>233</sup> and the standards with which to judge their action. By using their action to determine representation, it does not only show the performance of the representative, it also shows the reason for non-performance. This can be measured effectively and possible solutions that could make performance better pursued.

The other views of representation has been shown not to describe effectively a good representative overall because they fail to include their representative acts. Thus, it is important that, for a complete understanding of the concept of representation, that representative acts be involved. The representative characteristics can only be complete and relevant in so far as it affects their action and nothing else. This is why substantive representation has been and remains the most important way that citizens influence political outcomes through their representatives. Going by this view, representatives implicitly have limits and standards to which they must conform. There is also that normative duty on them to act in ways that are acceptable. From such actions it can be deduced whether or not representation has taken place.

The reason for the distinction between substantive representation and the other accounts of representation is their incompleteness as they fail to explain representative acts nor give account for the way a representative ought to represent. However, the fact is that, the representative process starts at the point when the representative is elected into office.

---

<sup>233</sup> Joseph Tussman, *Obligation and the Body Politics*, New York (1960) 12-13.

Although, this does not mean they represent constituents automatically by virtue of that election, it shows that they have been formally authorised. Also, the elected members may reflect the social topography of the constituents, but this also only shows the representativeness of the parliament and how members are able to act as informants without performing other form of activity. By emphasising on action, attention is paid to the crisis in representation that needs to be brought to the fore and this makes such act allude to some ideal in representation. This is necessary so that, citizens are able to express their dissatisfaction if they are not represented in the right manner. This to a large extent depends heavily on the role of judgment and the indirect influence of the citizens. Through the electoral system, representatives are expected to comply with certain norms by which they can be recognised and judged always during their time in office and not only at the end of their electoral mandate. Thus, by accepting their candidacy, they submit their actions to the judgement of the people and it is no longer for them alone to judge the positions which they take but for the citizens as well to do.

It is worth noting that much of the controversy surrounding the concept of representation has been due to the fact that the study essentially has focused on roll call voting. In as much as this may be important, it has diverted attention from the output and what the representatives do in the course of representation. Even though a lot is known around the concept of representation, studies have been silent on the substance of representation. The lack of empirical evaluation of action is evidence that the absence of substance hinders our understanding of the concept of representation. Representative action is that concrete transaction without which specific implicit assumptions which will produce testable predictions for accomplishing representation cannot be made. As much as a parliament is interested in legislating,<sup>234</sup> it must also be interested in how its members are representing because the extent to which its policy objectives are achieved depends on how members represent.

Thus, in discussing what representation connotes, I argue that the removal of substantive action in the study of representation hinders the progress of how the policy process works in any given society. This will constantly result in incorrect inferences about what political representation is all about. There are consequences for getting this wrong or only partially correct because the introduction of an accurate account of the concept of representation could reshape the process of representation itself and account for better representation.

---

<sup>234</sup> John S Lapinski, 'The Substance of Representation', Congress American Political Development and Law-making, Princeton University Press, (2013) 7.

Overall, given such an array of suggestive meaning for the concept of representation, it becomes obvious why the meaning of representation in political reality is less accessible and frequently contested. Since the different explanations are unable to give a complete picture of the concept, the best way forward is to bring them together to give a systematic approach in the study of representation. This way, scholars can make connection with the formal authorisation, the representativeness and the acts of the representative in the study of representation. This also means that in the study of representation, there is need to move beyond the study of political behaviour in the parliament and a complete reliance on roll call voting alone,<sup>235</sup> towards the activities of the representatives to see how they account for representation. In doing so, a distinction need not be made between the different forms of representation, rather what is needed is to consider their relationship and how combined they can provide a fuller meaning to the concept of representation. Representation in the substantive sense is meant to grow out of the other three usages. A critical analysis of these views points to the fact that they each give account of an aspect of the concept but together they give a deeper understanding of the concept of representation. With this view in mind, the next section will look at how this understanding of representation is applicable in Nigeria.

## **2.6 Applying the Forms of Representation to Nigeria.**

The analysis in this section applies the understanding of representation to the context of this study. It is seen that political representation is not an objective process that has uniformity in all jurisdictions. While some jurisdictions use representation as a means to identify civil liberties, political pluralism and political participation and to provide a choice for the electorate to select candidate in a free and fair election, others employ authoritarian methods that on the long run have the effect of impeding the cause of democracy. This seems to be the situation in Nigeria. As a result of this, many areas that are analysed in this discussion may come true in the politics of Nigeria, but a lot of them might likely prove deviant.

Firstly, in line with the formalistic view, the process of representation is brought about through formal election of members into the National and State Houses of Assembly and these legislators stand as representatives on behalf of the people. Simply put, these members are elected from single member constituencies by constituents who desire to elect candidates that they feel will represent their (the constituents) interests. It can be said that election is the most

---

<sup>235</sup> Lapinski (n 234) 16.



important element in the concept of representation in the Nigerian Political system as it is equated with the granting of authority. However, viewed from the point of election alone, one would be forced to come to the conclusion that most of the representatives are illegitimate occupants of their offices as their election, conduct and mode of selection do not meet any plausible account of legitimacy.<sup>236</sup> This is because, in the Nigerian electoral system, parties put forward their candidates that have emerged from their individual party primaries and voters are left to make their choices from the candidates that are put forward by the parties. The role that money and ‘godfatherism’<sup>237</sup> may have played during this process raises the question whether constituents really have a choice in the matter. This question is raised in the light of politicians who as representatives are easily bought and very likely to change sides when their personal interest is compromised. For instance, about one-fifth of the representatives elected in the 2015 elections were politicians who crossed over to opposition parties on account of alleged unfair and undemocratic treatment by their original parties.<sup>238</sup>

The underlining character of politics in Nigeria with its manifest intra-party crises and nomination of candidates for election into political offices is mainly inconsistent with the constitution and the electoral laws.<sup>239</sup> The indiscriminate abuse of democratic principles which sees candidates handpicked by political “heavy weights” in the party with utter disregard for the internal democracy of the parties goes a long way to show that ascertaining the level of fit between models of good democratic practices and the actual political processes proves very defective. In view of the dynamics and the selection-distortion, the argument may be that voters have lost their power of control because even though they decide to remove the representatives on the grounds that they do not share their interest, they still do not have the power to choose one who will share their interest. Thus, relying on the formal view alone to understand the concept of representation in Nigeria may be a problem.

---

<sup>236</sup> As noted by prominent writers in Nigeria, the history of election in Nigeria has been characterised by election rigging and other fraudulent electoral practices and disputes leading often to political instability. Edigheji Omano (2006), *Political Representation in Africa: Towards a Conceptual Framework*, Council for the Development of Social Science Research in Africa (CODESRIA); Omedia & Egwemi (2011) are also of the view that there is absence of institutions of accountability, The Independent Electoral Commission (INEC) lacks the capacity to conduct free and fair election.

<sup>237</sup> A general term used for a powerful individual in the society who is considered as a godfather puts forward a candidate and ensures that such a person gets all the support, usually such a politician becomes indebted to the godfather and tends to do all his biddings while in office.

<sup>238</sup> Onyishi Anthony Obayi, *Between Man and His Institutions: Intra-Party Politics and the Future of Democracy in Nigeria*, p. 16 [www.bristol.ac.uk/documents/politics/Onyishi](http://www.bristol.ac.uk/documents/politics/Onyishi) accessed Jan 2016.

<sup>239</sup> Onyishi Anthony Obayi, *Between Man and His Institutions: Intra-Party Politics and the Future of Democracy in Nigeria*, p. 16 [www.bristol.ac.uk/documents/politics/Onyishi](http://www.bristol.ac.uk/documents/politics/Onyishi) accessed Jan 2016.

So far, it has become obvious that democratic norms in Nigeria do not reflect the transparency they deserve.<sup>240</sup> Constituents are limited in their ability to elect political leaders directly constrained by the powers maintained by a few powerful elites in the political system. This ensures that change in the representation process will proceed albeit slowly if it happens. However, it can be argued that the value of the formal view is in the formal authorisation itself. Since political representatives operate within a formal structural context which ought to shape the boundaries of their activity, it is argued that how they go about these activities in line with the rules both formal and those that are rules of party conduct are essential in judging how they function. The formal framework enables us to compare the seemingly irreconcilable goals of the individual representative and the broad objective of good democratic values that is etched on the principles of equity, fairness and transparency. The extent to which their activities align with the broad objectives of advancing the interests of their constituents in particular and the overall democratic cause in general is the level to which they can be said to have succeeded in the acts of representation. Thus, elections and the formal investiture is an indispensable part that makes representation complete and legitimate, but the activities of representatives irrespective of how they are authorised is what can be used to hold them to account.

In considering the CDF, for example, it is designed to make the representatives act in a responsive manner to their constituents. Ideally, elected representatives who fail to represent their constituent's preferences and interest face the increased risk of being defeated in the next election. The desire to retain power ordinarily should be an incentive to act in the interest of constituents. Without the threat of electoral replacement, representatives may be driven by their own selfish motivations.<sup>241</sup> Thus it can be argued that election encourages the dissemination of the representative's presence and transforms their function in an ongoing regulated job where they have to contest within the existing policies and reconstruct the legitimacy of the process by their acts of representation. Although electoral authorisation is essential to determine the limits of their responsibility and political power, it does not tell us the nature of political representation in the society. What it shows us is a responsible and limited government, but not a representative government.<sup>242</sup>

---

<sup>240</sup> Samuel Oni in his work 'The Legislature and Constituency Representation in the Fourth Republic of Nigeria's Democratic Governance, *Ife Psychologia* 21(2) 2013 232 describes the legislative institution as underdeveloped, inexperienced, emanating from the prolonged dictatorial and authoritarian military rule which often either proscribed them or completely subordinated them to the executive arm of government).

<sup>241</sup> Larry M. Bartels, Joshua D Clinton, John G Geer, Representation for Oxford Handbook of American Political Development, working paper 03 (2013) 6.

<sup>242</sup> Urbinati N, Political Representation as a Democratic Process, *Rediscriptions*. (n 127)(2006) pg. 19.

The descriptive view of representation maintains that the identity of representatives determine how they act and as such matters for policy decisions.<sup>243</sup> This view predicts that increasing a groups political representation could lead to an increase in their policy influence and how they are responsive towards those groups of people. Although, there is very little and conflicting evidence in both developed and developing countries on whether politicians favour those who belong to their group in policy making in their actions, understanding the impact of the representative's identity is important as it has distributional implications.

In the Nigerian context, whether or not descriptive representation has led to the representatives acting in the interest of their constituents is debatable. Regardless of this fact, the effect of descriptive representation and how it can improve the way representatives represent can still not be underestimated. If members who share the preferences of the constituents are placed in parliament, they will be more inclined to relate with their constituents and get the overall interest of the community which invariably is their own interest. This will encourage participation of citizens and enhance political empowerment amongst the constituents. Also, the feeling of contentedness in constituents to know that they have their own representing them in Parliament is enough to spur that needed engagement and participation from the constituents.

Hence the use of descriptive representation in Nigeria can be seen in the distribution of positions in government institutions. Like other Constitutions around the world, the Nigerian constitution also gives specific guidelines about eligibility to be a member of the National Assembly and State Houses of Assembly. In terms of age, the members of the senate must be at least thirty-five years old and the members of the House of Representatives thirty-years old. They must be citizens of Nigeria with a minimum educational level of a secondary school certificate or its equivalent.<sup>244</sup> I may also add here that such a person must be an indigene of the state constituency district from which they are being elected.<sup>245</sup>

Although, these statistics may not guarantee that legislators reflect the society, and as such would be able to represent their interest. It can be argued that, if legislators represent constituents that are more diverse than they are, there is the tendency that they may be limited in their views as to what their preferred interest would be. Nigeria being a multi-ethnic state

---

<sup>243</sup> Besley T and Coate S, "An Economic Model of Representative Democracy", *Quarterly Journal of Economics* (1997) 112 p.1.

<sup>244</sup> S. 65, 1999 Constitution of the Federal Republic of Nigeria 1999 (as Amended).

<sup>245</sup> Emphasis here is mine rarely does it happen that elective positions are allowed to go to persons who are non-indigenes.

with more than 250 languages and subcultures, there is wisdom in using descriptive representation. This brings me to the claim that, there is the likelihood of minority districts not being able to have their way as the majority will always out vote them on policy issues. This can be fixed by quota laws and policies like the Affirmative Action Policy endorsed by Nigeria from the Beijing Declaration and Platform Form for Action (BPFA) provided for in Goal 3 of the Millennium Development Goal (MDG).<sup>246</sup> This is currently being employed in Europe and other Latin American Countries.<sup>247</sup>

The third view of representation talks about symbols and from the analysis it is seen that descriptive likeness is not the only basis on which representatives can “stand for” constituents making them present by their presence. The symbolic view proposes that, under the right circumstances representatives stand for constituents. This also means that this view of representation can be central to the meaning of the concept. This is so because representatives can be deemed to embody and be the symbol of unity of the people they represent.<sup>248</sup> This they do by conventional relationship with them and as such they are expected to display attitudes that are appropriate to the constituents they stand for and this in turn evokes a belief in the people that their interests would be represented. There may be no logical justification for this belief other than the connection that is purely conventional. It is for this reason that writers who emphasise symbolic representation as central usually stress the role of irrational psychological responses in bringing about the condition for representation.<sup>249</sup>

Although symbolic representation cannot be taken as definitive, it is an instance of representation with its own peculiarities which may not necessarily discard the meaning of other kinds of representation. It is important for the constituents to believe in those that represent them, but that is when they make themselves acceptable by their actions. As Pitkin has argued, in the definition of representation, the acts of the representative and the meaning of representation are intimately connected.<sup>250</sup>

It is therefore argued that, the concept of representation cannot be right without bringing in the issues of how the representative acts in a responsive manner to further the interest of those they

---

<sup>246</sup> Women’s Consortium of Nigeria. [www.womenconsortiumofnigeria.org](http://www.womenconsortiumofnigeria.org).

<sup>247</sup> Lisa Baldez, “Elected Bodies: The gender Quota Law for Legislative Candidates in Mexico”, *Legislative Studies Quarterly* 29 May 231, (2004) 58.

<sup>248</sup> Pitkin, *The Concept of Representation* (n 11) 93.

<sup>249</sup> *Ibid* 101.

<sup>250</sup> Pitkin, *The Concept of Representation* (n 11) 1.

represent. The lack of measures that capture accomplishments, especially outside the parliament, may be the reason for the lack of proper understanding of the concept of representation is not had because it seems the political reality outside the parliament is not known. As Ankersmit notes, political reality does not exist before the representation but only exists through it.<sup>251</sup> This means, the visual acts of representation give us the tools with which to analyse the process of representation.

The CDF as the case study presents the direct measure for legislative accomplishment and this is based on actual acts which can be measured through simple correlation of constituent's interest. Using the CDF as a specific subject of analysis enables one to focus on the institutions, rules and norms that guide the policy outcome and this can be translated to other policy areas. It uncovers findings that would show whether the representatives represent well or not. The possible direct effect of their action can be seen on how well it matches the need of the society. Invariably, it is also the need of the society that determines its particular policy. In this case of the CDF, the infrastructural deficit, especially in the rural communities is what drives the CDF policy. The proper implementation of it depends on the representatives being responsive to the interest of constituents. Responsiveness to constituents is what matters in measuring the actions of the legislator to determine whether they represent constituents well or not. The CDF shows a particular example of how the actions of the legislators can be measured against the preferences of the constituents. Using this policy initiative, legislators can act on behalf of their constituents by bringing in infrastructure to improve the living conditions of constituents. If we attend to what they do, we see that they act to represent the interest of their constituents and thereby promote the functioning of the democratic institutions in diverse ways.

Consequently, in the effort to understand the pattern of representation in Nigeria, I argue that, not taking the actions of the representatives into consideration leads to making an incorrect inference as to what representation is and this invariably affect the outcome of the representation itself. Thus, if we must arrive at a clear and accurate understanding and characterisation of the concept of representation, an explanation of the concept must be done with reference to the acts of the representative.

---

<sup>251</sup> F R Ankersmit, *Aesthetic Politics, Political Philosophy, beyond Facts and Value*, Stanford university Press (1996) 48.

## 2.7 Analysis

The different accounts of representation are only one of empirical measurement. At the core of it is still the question of whether the representatives are representing the interests of constituent. No doubt political representation occurs when there is a relationship between the constituents and a representative, but the quality of this relationship to a large extent depends on the behaviour of both parties and the representative's role perception. The fact that representatives have been authorised and resemble their constituents only tells us a part of the story, it does not tell us whether they are representing their interest or not. The composition of the parliament only tells of its representativeness and accounts for its legitimacy but does not say how the actions of the representatives are to be carried out in the interest of the represented. Therefore, in the course of investigating the conditions under which representation occurs, there is the need to have a proper definition of the concept of representation.

Many scholars equate being a democratic representative with being duly elected into office.<sup>252</sup> In as much as this is a first step for the making of the representative, the acts of the representative also count as important in determining what political representation entails. The representative after having the requisite authority has to fulfil certain functions within the democratic polity and this requires that they employ certain methods and relationships<sup>253</sup> How these functions are performed is what determines how well they represent. This means that, representation as an activity not only requires a distinctive function but also a characteristic effect within a democratic polity.<sup>254</sup> In piecing together the various aspects of representation, we are able to identify the source of authority and the mechanism of accountability that can be used as a standard for the representatives to comply with. It will also elicit in the representatives the proper behaviour that will enable them to excel in representing in a democratic fashion.

Most literature do not adequately identify standards to evaluate representatives and hold them accountable.<sup>255</sup> These standards need to be related to their actions. Thus, the view that focuses only on the procedures of authorisation and accountability are said to be minimalist view of representation.<sup>256</sup> It sees a situation where there are fair elections, basic liberties and the rule

---

<sup>252</sup> Max Weber, *The Theory of Social and Economic Organisation*, Trans A M Henderson and Talcott Parsons Glencoe III 1956; Philip Norton, 'Parliament and Citizens in Western Europe', *Parliament in Contemporary Western Europe* Vol 3 2003 just to mention but two.

<sup>253</sup> Dovi (n 3), 12.

<sup>254</sup> Ibid 53.

<sup>255</sup> Dovi (n 3) 57.

<sup>256</sup> Ibid.

of law is operational to an extent, as indication that democratic representation is taking place. This is not always the case. The question that needs to be asked is what if these systems of authorisation are faulty? On such occasions then it will be taken that the democratic representation is bad or good only because the procedures are faulty. However, in situations where they are good does that also make the representatives represent their constituents well? Formal political institutions like election are important in the understanding of political representation because it gives the opportunity of not only authorising the officials, but also sanctioning representatives who fail to represent in a democratic manner.<sup>257</sup> Still, it does not follow that the proper exercise of the procedure of authorisation is what constitutes democratic representation. There is the need for us to recognise the central role that election plays in the making of the representative and still understand that the activities of representatives while performing their function is what contributes to the proper operation of the democratic institution. Being elected into political office does not necessarily mean that a person is representing in a democratic manner. Such a person must be seen to advocate policies that are in the interest of constituents before they can be said to be representing well. Unfortunately, what is seen is that theories of representation have failed to pay attention to the actions of the legislators outside the parliament. Without the knowledge of what representatives do outside the parliament, our understanding of political representation is limited. If their actions are not considered, there is no way of knowing whether they are consistent with or in violation of democratic standards.<sup>258</sup> The standards to which representatives are held to account is the central function or characteristics of their activities. The distinctive work that they do by representing contributes to the proper implementation of policies and thus to the proper function of the democratic system as a whole. When politicians who are informed about the needs and conditions of marginalised societies fail to ensure that their actions are responsive enough to alleviate the suffering of the constituents in communities, they cannot be said to represent those constituency interest, but some other interest which may be their own personal interest. Such constituents can readily see that they have not been represented and ensure that such representatives are not returned to office.

Given the dynamics of representation and constituents interests, I argue that only actions that are responsive to the preferred interests of constituents should bring us to the conclusion that a

---

<sup>257</sup> The formalist view of representation focusses on the accountability and holding representatives to account for their action and this is what makes them responsive.

<sup>258</sup> Dovi (n 3) 57.

legislator is representing constituents. If representation is defined in terms of activity as opposed to just formal authorisation, description or symbolism, it has the potential of binding citizens to their democratic institution and fostering loyalty to the institution.<sup>259</sup> It also serves as a connection between the constituents and their representatives giving meaning to democratic commitments. In addition to that, it shows the changes in the way that constituents are being represented and the scope of political representation in the society and this is crucial to the proper implementation of policies.

The activities of representatives also suggest the form of control that can be exercised over them. It is a fact that citizens who vote for representatives as a result of their campaign pledges get it wrong by assuming that they have given formal authorisation to those who will further their interest. As Mansbridge puts it, representation is no longer promissory.<sup>260</sup> Therefore, to assume that the formal character of the legislature is what would secure the proper operation of democratic institution will get it wrong. What is important is to view the activities of the different representatives who influence and implement policy proposals and hold them to certain standards only then can the proper operation of democratic institutions be effectively secured. Seen in this light, it allows citizens to judge and subject representatives to certain ethical standards so that those who alter the distribution of goods to citizens can be held accountable for their actions. Such representatives should be subject to criticism when they fail to meet these standards. It is hoped that this will be a way to adequately address such vulnerabilities on the part of local constituencies.

By virtue of being elected, representatives are given the authority to advance policies on behalf of their constituents and this provides the institutional incentive for the representatives to be responsive to the interest of their constituents.<sup>261</sup> By such authorisation, they acquire the necessary right for being legitimate democratic advocates and it is only reasonable and moral that they should be held accountable. Representatives need to recognise the facts that their authority to act depends in part on the moral ends they serve and the perception of the citizens of those moral ends.<sup>262</sup> Addressing these norms assumes that, representation is intended to be something more than mere authorisation or reflection of perspectives. Rather, it is an effective way of governing whereby citizens choose representatives to act in their interest in a manner

---

<sup>259</sup> Dovi (n 3) 59.

<sup>260</sup> Mansbridge Rethinking Representation (n 134) 515.

<sup>261</sup> Dovi (n 3) 62.

<sup>262</sup> Ibid 63.



that they will not have the time or the inclination to do and such constituents are entitled to keep legal or moral control over their representatives.<sup>263</sup> This authority and legitimacy that is conferred on the representatives are very important and should be guided if they are to enhance democratic institutions. Such level of authority and legitimacy requires that representatives engage properly and represent the interest of those who would hold them accountable because citizens are entitled to justifiably criticise their actions. The extent to which their actions are lawful and morally justifiable is what determines whether they are representing their constituents or not.

From the descriptive point of view the quality of representation is believed to be increased for members of certain group because representatives tend to have certain experiences that are akin to that group. By virtue of their distinct experiences and unique connections they may seem to be able to represent that group. In this way, representatives are able to look within that group for conceptions of interest and principles derived from their own backgrounds as a basis for action. This Mansbridge terms to be gyroscopic representation.<sup>264</sup> It is legitimate as long as it falls within the substance of representation and has to do with the actions of the representatives rather than what they stand for.

Although, one may not always tell the specific behaviour that underlines each type of representation, yet it is possible to see the power relation in each form of representation and the normative criteria that is appropriate to each for which representatives tend to strive. Nevertheless, this analysis highlights the notion that other factors are readily visible in defining the concept of representation, but the substantive acts of the representative is a crucial component which offers an understanding of what representation entails.

## **2.8 Conclusion**

This chapter has highlighted some key areas within the meaning of the concept of representation that have previously been seen as separate definitions of the concept. It has pointed out their inability to give a complete picture of what representation entails. I argue that for a deeper understanding of the concept, there is need to link the formal, descriptive, symbolic and the substantive meaning of representation together. In this way, representation is redefined as an activity of the representatives in the interest of the constituents. This definition is what

---

<sup>263</sup> Mansbridge, *Rethinking Representation* (n 134) 516.

<sup>264</sup> *Ibid* 515.

conforms to the consistency of usage in a democratic society. This theme is developed and used in the thesis to describe the relationship between the representatives and the constituents and thus makes a significant contribution to the literature on representation.

In the course of the analysis, each view of representation has been evaluated and it is found that their analytical techniques without the substantive acts did not sufficiently cover the practice of representation. The formalistic view emphasises the authorisation and the accountability of representatives, while the descriptive and symbolic view talks about how representatives reflect and are perceived by the society. The meaning of representation as acting for others does not dismiss any of these views, rather it sees them as different components that are necessary for the acts of representation to be complete. Representatives cannot act in the interest of those they represent if they have not been authorised and with this authority comes accountability.<sup>265</sup> This responsibility is what is implicit in the position and this is what connotes being a representative. The problem therefore does not seem to be with the institution of representation alone, but in the lack of understanding on the parts of both the representatives and the constituents alike about what it means to represent. The great challenge then is to create an understanding of representation and to do this, the acts of the representative and how they act in constituents' interest must be looked at. This is what connects the citizens to their representatives and gives a complete picture of democratic representation.

---

<sup>265</sup> Pitkin (n 11) 59.



## CHAPTER THREE

### THE ROLE OF LAW, ETHICS AND RESPONSIBILITY IN REPRESENTATION

#### 3.1 Introduction

This chapter explores ways that could be devised to enable representatives' focus more on the interests of constituents and provide better representation to them. The present position has shown disillusionment with the lack of responsiveness to citizens in the representative process. Indeed, responsiveness of representatives to the interests of constituents is strictly associated with their understanding of their representative role coupled with the capacity of the democratic institution and processes to bolster the dimensions of rights, equality and accountability in any system.<sup>266</sup> However, the major challenge lies in the fact that the role of the representative is not always clear and there is no universally accepted description for the duty of a representative.<sup>267</sup> This being the case, every representative seems to have their own definition of what it means to represent. This does not mean that every view is justifiable. There must be superior choices between alternative actions that are ethically acceptable against others. Since democratic representatives are judged by what they accomplish, it follows then that, there should be some guidance in terms of the *rule of law*, *rules of ethics* and *responsibility* that state how they should act in relation to constituents.

The above principles can guide representatives to be more effective in their jobs. These guidelines which form the basic elements of most democratic societies are fundamental to their proper functioning and a system that overlooks them may be considered deficient. Through these guidelines effective representation can be realised. Their acceptance in any society would enable the realization of compelling combination of good qualities in democratic representation. Taking the approach of what the law provides and what is expected of representatives ethically, the level of responsibility of the representatives while carrying out their representative roles can be estimated. This also will have an impact on the trust citizens have for their representatives and illustrate the added-value of proper guidance in representative action in their bid to be responsive to their constituents' interests.

---

<sup>266</sup> Rule of Law and Democracy: Addressing the Gap Between Policies and Practice. UN Chronicle (Vol. XLIX No 4. 2012, [www.unchronicle.org](http://www.unchronicle.org).

<sup>267</sup> Dovi (n 3) 102.

### **3.2 Why Rules for Representation.**

It is important to note that once elected, representatives have certain powers and for them to display moral and ethical values in the exercise of those powers, certain well thought out standards need to be put in place. Standards concerning their behaviour need to be set up and enforced if they are to be held accountable for their activities. This means that a system that allows for better regulation of their activities is necessary. This may bring about more responsive representation, which is consistent with some form of public service motivation that the individual legislator, who intrinsically values the possibility of implementing policies for the interests of the citizens may have had before being elected to the office. This is viewed from the premise that, no sensible representative aims to be ineffective or to be a bad representative of their constituents. However, in carrying out their functions there are some challenges that legislators are confronted with which may contribute to them acting in an undesirable manner contrary to the interests of their constituents. So, if careful attention is paid to rules and ethical principles they would serve as guidelines to the representatives and mitigate some of the challenges of representation.

Generally, in most societies, rules tend to develop as a result of perceived problems in the political systems and the need to solve those problems within those systems. The development of these rules or regulations is meant to meet particular elements in the system. For example, deliberative democracy, which is arguably the most influential development within democratic theory, has provided the avenue through which focus can be placed on the aggregation of citizens' preferences as the fundamental mechanism for legitimacy.<sup>268</sup> The advancement of this theory no doubt is in a bid to make the representatives more responsive. The question of whether certain guidelines are in place and enforced in the course of performing their function is also pertinent for such representation to be effectively measured against those standards and be termed good representation. This is often less considered in political discourse because mostly, representation borders mainly on behaviour. It is for this reason that there tends to be unsatisfactory account of the activities of representatives and how they should conduct themselves when acting on behalf of constituents. If measurable guidelines are provided, they will not only serve as a yardstick to measure legislative actions but also be a way through which constituents can accurately infer proper representation of their interest.

---

<sup>268</sup> Graham Smith *Democratic Innovations: Designing Institutions for Citizen Participation*, Cambridge University Press (2009)11.

Consequently, the ability to make a precise prediction on how these regulations can impact on the representation of constituents would also allow us accommodate the argument that other factors are also responsible for the lack of representation. It is not just as a result of the citizen's heterogeneous characteristics. The issue of lack of understanding on the part of constituents as well as the representatives earlier discussed is also a reason why there is lack of proper representation. All these factors play a role in the representation question and their effect cannot be ignored. However, while parity between the diversity of the constituents and role orientation of the representatives may exist in some situations, the guiding principles that representatives follow in the course of representing needs to be considered if the concept of representation can be fruitfully theorised and evaluated.

### **3.3 The Role of Law in Representation.**

In examining the role of law in representation, I argue in line with the view of Ibrahim that good order is having a system based on abstract rules which are applied on functioning institutions which ensure the application of these rules.<sup>269</sup> This, in other words, means that the actions of those who represent the people need to be guided by the rule of law. This is not just considered as an instrument of government, but as a rule to which the entire society including those who represent the people would be bound. This is what accounts for good governance and advances democratic representation. It entails imbibing the four main posters of good governance which in the view of Seidman involves the following:

*“governance by rule which means that decision makers decide not pursuant to their intuition or passing fancy, but according to the agreed upon norms and grounded in reason and experience. They are accountable and justify their decisions publicly, conducting government business openly so that the public and the press especially can scrutinise their actions and finally ensuring that persons who are likely to be affected by potential decisions have the opportunity to make their input.”<sup>270</sup>*

The universal democratic principles advanced in the above submission are the rule of law, accountability, openness and participation of citizens. Together these characteristics tend

---

<sup>269</sup> Ibrahim F. I Shihata The World Bank in a Changing World: selected Essays (1991) 85

<sup>270</sup> Ann Seidman, Robert Seidman and Nalin Abeyesekere Legislative Drafting for Democratic Social Change, A manual for Drafters, Kluwer Law International (2001) 8.

towards ensuring the predictability in any government action. Their persuasiveness as an instrument of social change cannot be overemphasised.

### 3.3.1 *The Position of Natural Law*

Before an in-depth discussion of the role of law, it is important that we explore the position of natural law. As Aubert notes, there is a large number of conceptions of law including coercion or force as a central element.<sup>271</sup> It is also trite to say that the position of the rule of law with regards to representation is mostly shrouded with lack of obligation. If a legal norm is not adhered to because the state's enforcement apparatus is too weak or because no one takes it seriously, then that norm is not sociologically valid.<sup>272</sup> The way in which some kind of obligation can be imputed is if the broader view of natural law from which the rule of law derives its basic moral principles is invoked. In that wise, the rule of law cannot be separated from its moral sources, as many of its principles are derived directly or indirectly from natural law.

Natural law can be viewed as interpretation of the unseen, unwritten law that is identified on the gut level as instinctively right or wrong. It relates to our understanding and interpretation of behaviour in the broader society and guides us in our judgement of human behaviour based upon reason and conscience. The challenge with it is that, its position is always difficult to prove to the sceptics. This is due to reference often made to intuition and gut level understanding of what is right or wrong, proper conduct and improper conduct in the society. However, its relevance here is that, representative obligation can be derived from its realm. This is seen from the perspective that; every representative action is examined to see the extent to which it is right or wrong and this is based on its morality or otherwise.

As Dewey argues every public act brings a person into association with others who interpret these acts as either just or unjust, serving public interest or personal interest and intuitively right or wrong.<sup>273</sup> The interpretation of these actions are also shaped by a variety of forces at play in the citizens themselves. These include personal as well as institutional values. These personal and micro level values help citizens determine what they term to be right and

---

<sup>271</sup> Vilhelm Aubert, *In Search of Law: Sociological Approaches to Law*, Oxford Martin Robertson (1983) p. 8.

<sup>272</sup> Franz L Neumann, *The Rule of Law: Political Theory and the Legal System in Modern Society*, Leamington Spa [UK] Dover, N.H Berg, (1986) p. 12.

<sup>273</sup> Dewey John and James Tufts, *Ethics*, New York: Henry Holt and Company (1908) 451.

acceptable and what they term to be wrong and unacceptable behaviour. In making these decisions people tend to conform to the culture of the society in which they belong. For instance, if a society encourages corrupt behaviour it would be difficult for individual members of the society to stand against it because they would be standing alone. The society as a whole has to abhor such behaviours by the cues, rewards and punishments they dole out and this is what gives the citizens the right standing to speak out against ills like corruption in the society. Thus, natural law provides a justification for instinctive assessment and the public interest provides a useful frame of reference to judge whether the tenets of democracy are being violated or reinforced in a representative action. Where there are violations, then the rule of law which upholds the inviolability of government principles should be triggered. These principles are necessary components that would account for responsible representation.

Having stated this link, it becomes obvious that a combination of both realms is what is needed for the proper guidance of the society. Propagating the principles of the rule of law alone without its natural law roots might leave out certain salient features of morality that may enable the law to achieve its regulatory result. According to Phillip von Mehren and Tim Sawers, the law has to be seen as an important reinforcing variable in the process of social change and not merely a product of it.<sup>274</sup> The law counts as a major agent of transformation required for development or proper representation to happen. Those moral principles embedded in the specific positive law have a huge role to play for this to happen.

Since societies rely on the law to bring about social change, the starting point of this transformation for the law will be in transforming the institutions through which the representatives act. This is done by empowering them with the right incentives or sanctions that would enable accountability of those political officers who act through them and in their name. Hence, the changing of institutions lies at the heart of this transition, but for this to happen there has to be a simultaneous change in those patterns of behaviour that together constitutes the institution. As individuals operate within the institution, they must adapt to the institutional culture and it behoves on the institution to shape those values that the individual must exhibit. This is because the behavioural pattern tends to enhance or compromise the institution and to affect their proper functioning.

---

<sup>274</sup> Phillip von Mehren and Tim Sawers, *Revitalising the Law and Development Movement: A case study of Titles in Thailand*, 33 *Henry International L J* 67, 68 (1992).



The underlining factor seems to be how behavioural patterns need to be changed in order for proper representative system to emerge. For the law to be able to elicit the required behaviour of persons in the society, there must be an expression in the law which the citizens as well as the implementers would feel a compulsion to adhere to. Mere policy statements alone may not convey that compulsion from the citizens. There is need for that meaningful enforceable ethical code that is linked to systemic practice and procedure backed by legislation. This is what distinguishes law from a social norm which although acceptable by society is not enforceable. Together, the law and the implantation of norms would bring about the application of certain conformity inducing measures that could be applied directly or indirectly as criminal sanctions or rewards.

In doing this, the law addresses two sets of people, the citizens whose behaviour the law principally wants to change and those responsible for implementing the law. Difficulty has been seen in the inadequacies of the law in transforming behavioural patterns of not just the citizens but the implementers as well. This is why it is sometimes seen that, despite the law, implementers are not able to develop or adopt a positive mental orientation that would enable government to achieve the aims of its policies. There is no doubt that even the best legal framework will be of little value in advancing good representation unless it is adequately implemented and enforced. Several obstacles prevent the implementation of this ideal and this stem from the fact that government agencies might not have the needed authority to enforce these regulations. The judiciary and law enforcement agencies might be labouring under the same institutional constraint that is affecting the legislative arm. Due to these inadequacies, the implementation and enforcement of policies are seen to be sometimes ineffective.

In considering some of the constraints faced by legislators as they act on behalf of constituents, one finds that in some countries, especially developing countries, doing politics might sometimes be morally hazardous. This is because there is the temptation of corruption and other malfeasance that tends to go with it as politics requires persuasion, manoeuvres and compromise. If there are tough regimes that force politicians to account in the course of carrying out their functions, they would know their limits and how far they can go for questions not to be raised about their actions. In a situation where there is nothing guiding them, they can do as they please and get away with anything. Therefore, if the institution with the help of the law is strengthened, then politicians would be able to act in an acceptable manner and democratic representation which affects the life of the citizens positively can be ensured.

Salient elements of state policies have to be formulated through law in most contemporary societies and this is how development can be achieved. This development in itself implies change and as the government through their various development policies try to change the behaviour of citizens as well as regulators, the right kind of laws needs to be in place. This in effect is necessary to maintain government legitimacy as seriously intended government policy can only be translated into implementable laws when its rules guide the behaviour of not just the citizens but also the regulators alike. The challenge in doing this however, lies in how the enacted laws which are mere words can succeed in changing the behaviour of the citizens, the political actors and the institution at large. Part of the solution rests on how these laws when passed are effective in bringing about the regulatory behaviour that as intended by the policy. In deciding whether or not to obey the law, the addressees take into account not just the legal constraints and resources but also the non-legal aspects which are all about the infinite variety of social and physical features of the society.<sup>275</sup> This means that the rule, the implementing agencies expected behaviour and the non-legal feature of the society all come together to determine a person's behaviour in the face of the law.

In Nigeria, the socio-economic and cultural rights of citizens are enshrined in Chapter II of the Constitution.<sup>276</sup> They are termed the fundamental and directive principles of the state policy. Apart from upholding the provisions of this law, legislators are to ensure that laws are made that would make government more accountable to the people from whom they derive their sovereignty. The extent of their representation is a process and content of the laws that are made. Such laws must demand accountability, transparency, certainty, efficiency, evidence based decision making and responsibility. This is what makes laws a big force for development in any given society. By upholding the rights of the people, the law can also create an incentive for those representing or working on behalf of the people to carry out their duties in the proper manner and serve in their interest. Loopholes in the law must be closed in order to foster proper behaviour. Since humans can judge behaviour based on both reason and conscience, when loopholes in the law are created that allows representatives to do what they want, it serves as a rationale for the abuse of the rights of the people and the safeguarding of their interests. Although, some can feel that enacting more rules that bring about changes can only result in creating a culture of mistrust in the society, there is no doubt that enforceable regulations would

---

<sup>275</sup> Seidman, Seidman & Nalin (n 270) 16.

<sup>276</sup> Federal Republic of Nigeria Constitution 1999.

allow for policy driven politicians to be good representatives and empower them to implement policies more effectively.

### **3.4 The Role of Ethics and Responsibility in Representation**

Closely related to the rule of law are the principles of *ethics* and *responsibility* that representatives are expected to adhere to in the fulfilment of the functions of their office. Broadly speaking, this has to do with standards, rules, norms and precepts that relate to their role. It also has to do with the concomitant responsibilities that they must undertake to fulfil. While ethics comes from the concept of accepted traditional values, and is viewed from the perspective of principles, ends intuition and virtues, responsibility is seen as accepting and carrying out fairly well-defined roles. Although, sometimes these roles change with no agreement on the parameters of acceptable behaviour, it still implies an obligation to act in a certain manner. Together these principles are generally used to explain acceptable and unacceptable behaviour in the society. The problem however is that these principles that should form the centre piece of the representative system are often less acknowledged when they ought to be emphasised. These principles do not just serve as a guide to public office holders, but they also set standards that they must respect in the course of performing their functions. Although, they do not tell the representatives what to do, they help to constrain the interpretation and understanding of their role and the functions of their office by guiding their judgements and their subsequent actions.

In advocating these principles, political theorists have argued that, representatives in the course of performing their duties are expected to demonstrate honesty and integrity; they should make decisions with objectivity and be open about ways in which they arrive at their decisions; they should set aside their own interest when acting on behalf of constituents; they should show leadership to others and be prepared to be held accountable.<sup>277</sup> These principles lay out in broad terms the ethical demands made on those who are in representative positions. It implies that representatives should act in ways that are compatible with the acceptance of their office and with its concomitant responsibilities. These principles need to be understood as providing a sort of ethical code which representatives are expected to abide by in performing their functions. The responsibilities of their role imply an important sustenance of the public trust.

---

<sup>277</sup> Public Ethics and Political Judgement, Report of Committee on Standards in Public Life, (July 2014) p. 5.

The fact that the decisions they make affect the lives of citizens gives the ethical significance in ensuring that a common set of standards is adhered to in the execution of their functions.

The main challenge in ensuring that these principles take hold in the political atmosphere is the fact that there is no formally established body that seems to be overseeing political ethics of politicians in the same way as is done in other professions. This brings out the contention as to what the exact standards should be in both general and specific cases. Also, recognising these sets of principles may not necessarily mean that there is a consensus on exactly what they would demand. This is because individual principles may conflict with each other or be indeterminate between rival courses of action. This realisation not only makes political ethics challenging but also goes to show that a lot of reflection about the demand of political representation is appropriate.

As discussed earlier, the ethics of a group of people is shaped by their culture and this is related to their responsibility and their adherence and obligation to the rule of law. In the realm of politics, this is played out in the way the people tend to safeguard their democratic ideals against the influences that may work to undermine those ideals. If citizens believe in their political ideals they will tend to protect those principles that are dear to them. Dewey and Turft who are strong advocates of safeguarding the democratic ideals are of the view that, what is needed is the development of the social capacities of every individual in the society.<sup>278</sup> By this view, citizens have the responsibility to safeguard and defend the principles of democracy and a responsible government must advance democratic values through advocating ethical behaviour.

Thus, responsibility is a virtue that should be reinforced in both the citizens as well as the government as a whole. Being responsible means individuals in the position of authority, as well as the citizens, must take steps to enhance the ethos of citizenship. Citizens must be informed about their rights and recognise their interests and also be ready to hold the representatives accountable for their actions. The government too must advance democratic values that become part of the society in such a way that citizens believe in it and protect it. In this way, the representatives would be conscious of being watched and behaviours that do not

---

<sup>278</sup> Dewey and Turfts Ethics (n 273) 474.

promote representation would be reduced considerably. This is in line with the view that those who exercise their power and authority are accountable to those over whom it is exercised.<sup>279</sup>

Political office when won claims general authority over the polity, but the people who occupy such offices are accountable both in terms of whether they have fulfilled the formal responsibilities of their office and in terms of whether those that they represent approve of their actions. Accordingly, theorists have made a distinction between these two judgements in the sense that, it involves formal accountability (did they act properly) and political accountability (do the people approve of what they have done).<sup>280</sup> It is further argued that, political systems that blur the distinction risk subordinating ethical considerations to expediency or eliminating the distinct political dimensions of judgements.<sup>281</sup>

Indeed, it is seen that, this accountability regime that is advocated comes in tension with authority, each constrained by the other. However, these ethical principles guide the representatives as they navigate through competing demands. These principles are brought to bear within particular context of their functions as they act on behalf of their constituents. It helps them to recognise their responsibility. For them to recognise their responsibilities, they require an understanding of the nature of representation, of the different interpretations of that role and the function it serves and a grasp of how that role is to play out in the political system.

Thus, these ethical principles would overall provide a medium for judgements which would help to clarify some components in decisions made by the representatives in the course of acting for constituents. It does this by prompting some kind of reflection on the representatives as to whether they can act in a particular way and accept being held accountable for their actions. It enables citizens to hold up every action of the representatives and questions can be asked whether it meets the criteria of honesty and demonstrates objectivity; was the decision uninfluenced by personal interests or consideration; is it compatible with the leadership that the representative office provides and does it reflect integrity for which the representative is prepared to be held accountable. All these questions focus on how far decisions that are made on behalf of others meet ethical standards.

---

<sup>279</sup> Mark Philips, *Political Conduct*, Harvard University Press (2007) Ch 3.

<sup>280</sup> Mark Philip, *Political Ethics and Political Judgements* July (2014) 7.

<sup>281</sup> *Ibid.*

It has been observed by political writers have observed that, practices of dubious propriety are wide spread among politicians but most government are unwilling to impose any form of regulations.<sup>282</sup> It is proposed that a change in the ethical climate can only come about as a result of transformation in the moral character of representatives when they abide by democratic principles. Although there can be no certainty about such general estimates, it can be argued that the openness of the parliament today makes it possible for the public to be able to scrutinise the parliament and members. Also, the eagerness of the press to be able to expose wrong-doing is what will preserve the sanity of any given society. Furthermore, the ethical committees in the parliament need to be provided with more support and resources to investigate charges of corruption among members of parliament. They need to develop ethical codes to make them more restrictive in order to be able to curb illicit acts among representatives.

In doing this, there is need to understand that ethical codes will not be of value if the implementers of government policy do not recognise that there is an ethical problem. They need to understand the problems with regards to a particular issue otherwise they will fail to know what standards are expected of them. Also, if they do not consider it to be in their interest to take a stand against certain behaviour, then little attention will be given to those general principles that make up the core values of an ethical society. Notwithstanding these difficulties, the code of conduct when in place sets out the specific standards of conduct expected in a range of realistic circumstances, representing the preferred interpretation of the core values or principles that are important to any society. Although this may seem a somewhat narrow approach to political ethics and responsibility, its essence in this analysis stems from the fact that, it has been possible to identify normative values that are inherent within it which designates it as a discrete and potential ingredient to the proper representation of constituents. It brings to the fore the possibility of better representation through the inclusion of standards and prohibitions and some procedural details. Having these in place would have the effect of guiding the conduct of representatives and the extent to which this can be possible with regards to the individual representative needs to be assessed.

---

<sup>282</sup> Dennis E. Thompson, *Ethics in Congress: From Individual to Institutional Corruption*, Brooking Institution Press (1995) 2.

### 3.4.1 *Can Representatives be Ethical and Responsible?*

In recent years, character-based as well as virtue-based ethics have attracted attention from writers. Josephson identified numerous traits that can be used to describe an ethical person. These include trustworthiness, integrity, reliability, loyalty, responsibility, fairness.<sup>283</sup> Hart also links virtue to government action by stating that a connection exists between the virtues of an individual and the honourable government representative by contending that, the government representative can become an honourable bureaucrat through the possession of traits which includes the commitment to the values of the society and having the interests of citizens at heart.<sup>284</sup> Doble focuses on personal integrity as what would ensure correct public sector behaviour. He argues that the ability of people to organise their activity around core commitments that they view as central to their lives is what gives rise to personal integrity and proper behaviour in the public sector.<sup>285</sup> In another related work he maintains that, since character traits are malleable, organisational and cultural setting can have at least some influence on the attitude character and values of its members.<sup>286</sup> In assessing the link between environmental influences and individual character traits, Hampshire and Alasdair MacIntyre express the view that, individual character traits are not innate, but are capable of being cultivated.<sup>287</sup>

From these submissions we can infer that, although, from the individual point of view ethics focuses on the character traits of the representative, but for a complete view of an individual's character, the role of the institution and the society at large in shaping that individual's character and values has to be taken into account. It is possible that virtuous people may exist in the society but they can be corrupted by the destructive values of the society. This is because individual values are shaped by their experiences with major institutions in which they operate and such institutions may impact either positively or negatively on the individual's character. Cooper puts it rightly when he stated that the structure of the organisation is significant in exercising influence on the ethical conduct of individuals.<sup>288</sup>

---

<sup>283</sup> Michael Josephson, "The Six Pillars of Characters", In West and Berman (2006) 11-23.

<sup>284</sup> David K Hart, "Administration and Ethics of Virtue: In all Things Choose First for Good Character and Then for Technical Expertise" In Handbook of Administrative Ethics ed. Terry Cooper 107-123 New York: Marcel Dekker (1994) p. 112.

<sup>285</sup> Doble P, Integrity in the Public Service, Public Administration Review 50, No 3, (1990) pp 354- 366 at 355.

<sup>286</sup> Doble P, "Political Prudence and the Ethics of Leadership" In West and Berman (2006) pp 55-68 at 55.

<sup>287</sup> Garofalo Charles and Dean Geuras, Ethics in the Public Sector: The Moral Mind at Work, Washington DC, Georgetown University Press (1999) 89.

<sup>288</sup> Cooper Terry, The Responsible Administrator 4<sup>th</sup>edn. San Francisco Jossey- Bass (1998) 176.

Thus, the ethics of a society is what describes the guiding beliefs or ideals of individuals in the society. Through this, individual character can be developed and common virtue can be fostered. Those representing the people have to exhibit those virtues and act in accordance with them. They need to be aware of what the norms of the institution are and be conscious of the ethical dimensions of their work. This is what makes them good representatives. The organisational structure of the parliament would have at least some influence on their attitudes and value traits and be able to promote certain types of values while discouraging others. Organisational culture that discourages unethical behaviours in members while cultivating standards by which they can measure their behaviours should be adopted. This would go a long way to encourage the correction of deficiencies in the system thereby minimising conditions that lead to unethical behaviour. This is necessary in order to build healthy societies.

Nevertheless, this may not be a one size fits all concept, what is required is to discover what is good for a particular person or in this case a group of persons. Traits such as trustworthiness, integrity, reliability, loyalty, respect, responsibility, fairness are what citizens want to see in their representatives. The opposite of these are self-interest, self-protection, self-deception, self-righteousness and all these are vices that would never foster good representation. Consequently, the cynical question of whether representatives can be made to be ethical and responsible can be answered with reference to societies where there seems to be evidence that those who work on behalf of the public are more idealistic and concerned about the public good and less concerned about making money.<sup>289</sup> Although, the same cannot be said about representatives in Nigeria, the fact still remains that, there is no universal way the legislators in Nigeria can be characterised. Given that they are varied and heterogeneous due to the ethnic diversity an accurate description may not be possible. This makes attempts to understand the concept of representation more problematic. However, at the very minimum, one can conclude by saying that, representatives reflect the character personalities and nature of the people and the values in the society at large. The idea that ills like corruption is a vice that tends to thrive in a society may be an indication that the society itself encourages questionable behaviour.

Therefore, accepting political ethics and responsibility as essential attributes can bring with it some level of restraint in perpetuating bad behaviour amongst representatives, especially if they get such cues from the political system. The essential condition for healthy representation

---

<sup>289</sup> Stephen G Koven, *Responsible Governance: A Case Study Approach*, M E Sharpe Armork, New York, London, England (2008) 178.



is when the political system as a whole is able to control unethical behaviour and when the representatives are truthful and have the culture of public service in addressing the real problems of the society in conjunction with the citizens. When democratic institutions work as they should, it would discipline the representatives and enable them to observe the basic restraints that is required to uphold the reputation of their office. The representatives would then be able to work within the institutional morality that sequences their obligation in a clear manner. They would then be able to speak in the name and in the interests of those who gave them mandate. Max Weber in his great essay puts it rightly when he stated that, politics as a vocation is right when politicians are guided not of themselves by an ethic of ultimate end, but by an ethics of responsibility which gives priority not to personal conscience or ethical ideology but service to the people.<sup>290</sup>

#### *3.4.1.1 Individual Ethics vs Institutional Ethics*

It has been noted that there is an individual and an institutional dimension to ethical issues. The question that arises is where should more emphasis be placed in the quest to develop ethical behaviour in the society? In response to this some authors have argued that less emphasis should be placed on the individual character and more should be on the institutions or organisations because they are ultimately in the position to determine what the individuals do. Cooper a strong advocate of this view contends that, the structure of the organisation is important in maintaining the ethical conduct of the individual administrator. He is of the view that, the institution is the shaper of the character, values and identities of these individuals and it can exercise significant influence on their conduct.<sup>291</sup> Rainey on his part sees the importance of organisational culture as a shift which emphasises social influences, informal processes and the motivational power of attention from others.<sup>292</sup> Both writers agree that, the organisational culture can either encourage or discourage ethical behaviour.

Taking a different angle to the organisational discourse, Bowman recognises that the leadership figures in any organisation tend to send some type of signals to others in the organisation and this includes their indifference. He notes that, the question is not whether norms or conduct will develop in the organisation, but rather what they are and how they are communicated and

---

<sup>290</sup> Max Weber, "Politics as Vocation," in *From Max Weber*, edited by H. H. Gerth and C. W. Mills, London: Routledge (2009).

<sup>291</sup> Cooper Terry, *The Responsible Administrator* 4<sup>th</sup> Edition San Francisco Jossey- Bass (1998) 176.

<sup>292</sup> Rainey Hal, *Understanding and Managing Public Organisation* 3<sup>rd</sup>edn San Francisco Jossey Bass (2003) 33.

whether members are fully conscious of the ethical dimensions at work.<sup>293</sup> An organisation's leadership can shape the organisation's culture by setting a positive ethical tone. They help define the ethical norms, values and acceptable behaviours. The deliberate role modelling they provide are the primary shapers of these organisations because they are in the position to set the priorities of the organisation.<sup>294</sup>

Thus, it follows that the individualistic view alone is incomplete without the institutional role being considered. The view from the individual perspective focuses on character traits in the sense that good character would likely produce ethical and good societies, but this character is also shaped by the organisation and society at large. As stated earlier, it is possible that virtuous people exist within the political circles, but they are then corrupted by the organisation and the acceptable norms in that organisation. This is because unethical organisations corrupt people while an ethical organisation may have the opposite effect. This is also taking into consideration that other aspects may also play a role in determining representatives' ethical conduct in the society.

Looking at it in terms of parliament, the fact is that every parliament has a culture and a patterned way of thinking about tasks and the way they respond to situations. This has links with the individual personality and makes the individual member respond to situations in like manner. Therefore, the idea is for the Parliamentary leadership in this case to nourish a transparent institutional culture by offering incentives for ethical behaviour and reducing opportunities for unethical behaviour among members. This they can do by the ethics committee formulating the right code of conduct for members and enforcing these according to the appropriate parliamentary rules.

Irrespective of how this is viewed, it can be submitted that the two tend to be related because individuals make up the organisations and society. While it can be said that, the institutions have an influence on the individual behaviour, the idea of freewill also implies that individuals can exercise control over their actions and decisions. In essence, they can be held morally accountable for their actions. This means that, irrespective of the influence of the society and the institutions, individual character can be developed and common virtue can be fostered. There are several good examples of character-based approach that can be imbibed by

---

<sup>293</sup> Bowman James, "The Ethical Professional: Cultivating Scruples" In West and Berman, (2006)55-68 at 55.

<sup>294</sup> Schein Edgar, *Organisational Structure and Leadership: A Dynamic View* San Francisco Jossey-Bass (1985) 317.

individuals to improve ethical behaviours and build better societies. When individuals imbibe the virtues of trustworthiness- which means people are expected to tell the truth and keep promises, be helpful and concerned with other people, obedient by following rules and the law, be brave enough to stand for what is right, they become better citizens in the society. These character virtues are not recently discovered values. Philosophers like Aristotle have discussed the “golden mean” where he states that “moral behaviour is the mean between two extremes- at one end is the excess, at the other deficiency. The moderate position between these two is when a person is said to be acting morally.”<sup>295</sup>

Given that it is the societies’ moral and expectation that establishes the standard, what matters is a good design of institutional arrangements and incentive structure. The conducts of the representatives are being evaluated by reference to expectation in the form of moral obligation expected by the society. These norms are related to the instituted context which judges based on outcomes through the notion of efficiency, effectiveness and responsiveness. Ethics in this sense can be said to involve everyday process of formulating norms, values, rules and principles in response to that awareness. This tends to create that acknowledgement amongst the representatives that their action makes a difference both to themselves and others.<sup>296</sup> Hence ethical decisions are a product of moral pushes and pulls. This explains why a person’s values determine how the person may act and the decisions such a person would make.

Acknowledging the fact that these values are shaped by the society as a whole would determine the extent to which political representatives are committed to the relevant expectation of constituents and can be responsive to them. Some may argue that such general evaluations on the society specifying behaviour may limit the usefulness of accountability as a means to guarantee conformity by the representatives, However, Darwall discountenancing this is of the view that, one is morally accountable by reflecting the norms and values of a moral community within which one lives.<sup>297</sup> The next section examines how representatives can be held to account.

---

<sup>295</sup> Aristotle, *Nicomachean Ethics*, Translated by W.D Ross, Batoche Books, Kitchener (1999).

<sup>296</sup> John Roberts, *The Possibilities of Accountability*. *Accounting, Organizations and Society* 16, no. 4: (1991) 355-368 at 365.

<sup>297</sup> Darwall, Stephen L, *Morality, Authority, and Law: Essays in Second-Personal Ethics I* (2013) 7.

### 3.4.2 *The Ethics of Accountability*

In articulating ethical behaviour and ensuring democratic representation one of the key requirements is that the representatives should be accountable for their actions. Dubnick, is of the opinion that accountability should be treated as the setting within which government emerges or unfolds. Formulating an ethical theory of accountability, he suggests that, it should be seen as a fundamental element in the range of governance and not just a secondary component. To him it is a relationship which has at its core mutual expectations and this is where the ethics of it lies.<sup>298</sup> Thus, accountability is a vital principle that is central to democratic thoughts. It is seen as a cardinal pillar of good governance and effective representation and is aimed at assuring democratic responsiveness from the representatives. It is a means to facilitate the exercise of legitimate authority and it is performance based where the person who acts is expected to give account. It also means that such a person would also suffer some kind of sanctions in the event of non-performance or if the performance is deemed unsatisfactory. The anticipation of sanction for unsatisfactory performance is expected to guarantee performance from representatives.

The above theories provide a firm ground for a workable ethics of accountability which can be applicable in assessing political representation. It acknowledges the relationship between the representatives and the constituents' in terms of managing their expectations as well as the influence of the society on a representative's action. More importantly, it reveals that the effort to enhance accountability in representation can be achieved if seen from the moral and ethical point of view. If this model is to prove useful in the study of representatives' behaviour, there needs to be an understanding that legislators rely on a number of mechanisms that influence their decision making. Some may be personal such as the reflection of their own preferences and tastes. Others may be formalised authoritative sources such as the law or rules of regulations. This stands as the aspirational reference point for representative action and for those that are committed to bring about change in government reforms. Such reforms must be based on the idea that measures are designed to emulate conditions that are unique in fostering the ideal type of moral accountability. This is necessary because in the assessment of representative activities, those idealised moral accountabilities are often used in the absence of standard procedures. Under the ethical theory frame, this is still in line and related with the

---

<sup>298</sup> Melvin J Dubnick, Toward an Ethical Theory of Accountable Governance Prepared for presentation at the 2014 International Political Science Association meeting, July 19-24, 1.

desire to achieve objectives such as efficiency in performance, transparency in operations, openness in decision making etc.<sup>299</sup>

By positing the ethical theory, the argument here is that, in lieu of practical impossibilities in realising institutional accountability, an effort to seek to emulate moral accountability can account for the reproduction of responsible representation since such accountability depends on obligation and demand for responsiveness. Responsible representation requires the pursuit of moral good through representative actions. Such accountability tends to have indirect influence on the representatives as it gives the citizens some kind of mediated control over their actions.<sup>300</sup> Virtue is linked to their action because a connection exists between an ethical representative and honourable representative of the people. Such a person is bound to uphold and believe in the core values of society and act as a moral and independent agent to protect those values. They would act with prudence and have the interests of the people at heart. Moreover, they would have the idea that the more one benefits from society, the more one has an obligation to reciprocate. The next section discusses a vital element that tends to distinguish representatives when they act on behalf of constituents. The more this virtue is attributed to them the more constituents can have confidence in their representation.

### **3.5 The Virtue of Trust in Representation**

The discussion thus far has shown that an adequate ethics of democratic representation cannot be possible without some regime of accountability which would serve as a guide to the representatives. Following this accountability regime is the granting of trust which requires that the representatives should exercise lawful discretion in the interests of the constituents not that which would be for their own personal interests and the detriment of the constituents. Political theorists have identified the level of truthfulness of politicians as a norm that tends to determine the level of trust between politicians and the citizens.<sup>301</sup> This is the case in both established and developing democracies. This requirement of trust is what would guarantee accountability and proper representation of constituents.

---

<sup>299</sup> Dubnick (n 298) 20.

<sup>300</sup> Dovi (n 3) 66.

<sup>301</sup> Michael Ignatieff, *Representation and Responsibility: Ethics and Public Office*, The Tanner Lectures on Human Values delivered at Oxford University (2013) 114.

Theoretically, citizens elect representatives who are meant to devote themselves exclusively to them and through their clear mandate and static instructions they expect these representatives to further their interests. This does not always happen so smoothly, rather what is seen is that there is discontentment among citizens in the political system. This has led to a situation where the representatives go ahead to serve their own interest at the expense of the citizens. Thus, political representation is reduced to a coercive exercise of authority where the citizens are ruled in a manner where their choices are always controlled.<sup>302</sup> There is no doubt that such a situation is bound to make citizens unhappy. For this reason, citizens generally tend to view politicians as unfaithful. This feeling of discontentment may be due to the fact that citizens care about their society unlike what the politicians may think. Contemporary political theorists in assessing this situation have also contended that representative who engage in morally suspect and undesirable behaviour and those who violate the interest of citizens are rarely trusted.<sup>303</sup> Also, trust can be lost when politicians fail to solve the problems of society over a period of time such as inflation, depression and other social and economic conflicts in the society.<sup>304</sup> They simply loose the confidence of the voters.

Undoubtedly, these symptoms for an integral part of a societies' life, but they are at the heart of representation. Therefore in assessing representative action, the fact still remains that representatives are to be evaluated according to the standards that derive from their respective offices and these standards hold important insights into how the representative should properly conduct themselves. They must be aware that citizens look up to them with expectations and they have a duty to live up to those expectations. If a society gets to the point where it is perceived that what representatives tell them are lies and that they are all corrupt, then nothing said in the public sphere would be believed. This in effect can damage the legitimacy of the democratic institution as they simply loose the confidence of the people. Thus, to restore confidence in representatives and the political system as a whole, the level of unethical behaviour amongst representatives in the society must be controlled even though it cannot be altogether eliminated. Without addressing these problems representative democracy cannot endure. Since there are other authoritarian alternatives that are always in competition, its defence would only be possible through the honesty of the representatives in upholding the interests of constituents.

---

<sup>302</sup> Dovi (n 3) 136.

<sup>303</sup> Ibid 68.

<sup>304</sup> Ignatieff, Tenner Lectures (n 301) 113.

It should be noted that, in healthy democracies where the people are served well there is still that need for continuous vigilance and part suspicion on the part of the electorate. This is necessary to keep the representatives in line. Different countries practice their democracy in different ways and the ambit of power that is allowed the representative is determined by the system itself. The representative role as framed by the constitutional conventions and the political cultures may either struggle against or turn a blind eye to the abuse to which their system is prone. It is seen that, although lack of trust for politicians is prevalent in many countries, it tends to be higher in some than in others. In many African countries for instance, power is stacked, and politics is a zero-sum game where if you win you have everything and if you lose all access to state resources, patronage and preferment is curtailed. It is as a result of this we tend to see corruption playing an excessive and counterproductive role on representative activities in these countries. In contrast, Western liberal democracies that have had more time to develop and also learned from their mistakes tend to ensure that political power in theory does not confer economic, social or cultural advantage.<sup>305</sup> This is necessary if the trust for representatives would be at a reasonable level.

Highlighting the discontentment of the citizens as the major reason for the lack of trust goes to show that citizens are becoming more aware of their political environment. This may be due to a number of factors such as equality in the society. In modern societies, representative's work from the premise where to be a representative is a privilege to be earned from equals and not an entitlement to be claimed from your inferiors.<sup>306</sup> This is different from the past where representatives were the elites in the society who are more educated and thus had all the information that the masses lacked. Today representatives are not just drawn from the elite group alone they tend to cut across facets of the society. Also, citizens are more educated and with the help of social media more enlightened. This has increased the level of distrust felt for the representatives. The lack of proper connection between the representatives and their constituents may also add to this problem. In these situations, it is difficult for such representatives to win the trust of the people. These low-trust models of the representative may also be a common response to "scandals" that leave the public feeling their trust has been abused. This situation remains unchanged because the people see that even those representatives who earn their trust tend to use manipulations to gain this trust.

---

<sup>305</sup> Ignatieff, Tenner Lectures (n 301) 116.

<sup>306</sup> Ibid 122.

For the above reasons some have argued that direct democracy which involves personal participation of the people in the daily management of the public affairs is desirable. However, this alternative is utopia for the exact reason that, societies today are too large and complex to be governed in that manner. Hence, representative democracy is still the answer for the 21<sup>st</sup> century. Although the contempt continues to grow the people still need to assign public business to representatives. Ignatieff, sums it up by stating that the discontentment and dislike of politicians are not transitory phenomena but integral to the unstoppable relation between democratic sovereignty and representation itself.<sup>307</sup>

Thus, a situation where representatives get into government, gain power and personal riches and ignore the citizens who voted to put them in place creates a state of despair in the nation as a whole. However, a correction mechanism can be put in place, if attention is paid to the behaviour of representatives and a system of checks and balances can preserve the political institution. This needs the collaboration of the courts, the media and the citizens themselves who will help to expose violations of public trust and shame those representatives who are only there for their own selfish ends. The minimum principle endorsed by most democratic societies is that legislators like all other public officers are expected to maintain and strengthen the public trust. Citizens have confidence in their representatives when they demonstrate professional competence, efficiency and effectiveness upholding the constitution and the laws and seeking to advance the public good of all.

### **3.6 Discussion and Way Forward**

There is no gainsaying that right behaviour is a concept that is difficult for all to agree upon. If the society does not promote and develop procedures that would support and encourage the ability of representatives to act in the interests of constituents, then it would be difficult for people who are in representative position to act in an acceptable manner. A general guide to action such as abiding by both man-made law and the higher law can serve the society by enabling representatives behave responsibly. This responsibility emerges as a social process whereby representatives are meant to act in a certain way and in the interests of those they represent. It also involves expectation from those represented as their engagement with them and acting on their behalf invokes accountability. As representatives of the people, a lot is expected from them. Their duty is to promote the interests of the people and inculcate in them

---

<sup>307</sup> Ignatieff, Tenner Papers (n 301) 125.



a sense of acceptance for their leadership. For them to do this, they must be dedicated to the people by operating within the ambit of the rule of law and be ethically responsible and trustworthy. It is by imbibing these principles that they would be guided in their actions as democratic representatives.

Relating these principles to the context of this study and political representation in Nigeria, representation could also be termed to be the capacity to manage social and economic resources to attain development for the people. Good representation also means effectively taking the interests of constituents into consideration and non-arbitrary decision making. This also includes accountability, transparency and participation of citizens. However, all of these seem to be in short supply. Rather, corruption appears rampant and representation lacks the accountability and transparency it deserves. This state of social desolation did not happen by accident, as there are elements in the society that may have given rise to this situation. One major culprit that can readily be identified as giving rise to the situation is poor governance. Poor governance according to Richard Nzerem is a direct result of the failure to observe the basic principles of the rule of law.<sup>308</sup> The absence of the rule of law has been identified as the determinant of corruption. That is, where the rule of law does not flourish, corruption and corrupt practices is imminent. In such a situation, what is usually seen is that those in authority have greater discretion and make decisions without due regard to any precept of law. Such decisions are made arbitrarily according to their whims and caprices without adequate control being exercised over them. The fall out of this are poorly executed policies. So, one can say that the rule of law and corruption are inversely related. The disregard for the rule of law and established procedure create opportunities for corrupt practices to thrive. This is made worse because state interventions are weak. Such systemic patterns of corruption erode the authority and effectiveness of public institutions and promote unethical and unfair practices that act as a barrier to any well-meaning government reform.<sup>309</sup> Thus it is only when the rule of law prevails that sustainable development can be guaranteed in any society.

In Nigeria as is the case with many other developing countries, government efforts aim to provide development for the people. Despite these efforts, the people remain impoverished and vulnerable. Their living standards, health and education decline while the gap between the rich

---

<sup>308</sup> Richard Nzerem, Key note Speech CLA 2013).

<sup>309</sup> Ibid.

and the poor continue to widen. The central problem has been the ineffectiveness on the part of government and its agencies to exercise control and the absence of accountability. A system which does not have in place elements of accountability such as goal measurement, justification of results and sanctions for unethical behaviour can no doubt lead to the proliferation of corruption. This can be said to be the situation in Nigeria. The absence of accountability especially on the part of politicians create opportunities for corruption to thrive.

This above situation coupled with the level of enlightenment of the people seem to make representatives take the advantage that has been open to them. There are several occasions when unethical behaviour rather than being punished is celebrated. Public officers who have been indicted with corruption despite the public outrage have never been brought to face the law to serve as a deterrent for others. It can be said that perhaps the ethical norms of the day determine the type of behaviours that are being punished and this serves as a reflection of the country's ethical values. Since the assessment of democratic representation is system dependent, what is expected of a representative to a very large extent depends on the norms and values that sustain the legitimacy of the polity's democratic institutions.<sup>310</sup> What a society allows or disallows will guide what the representatives do. A representative will generally be seen acting in a manner that is in line with what others in the system do. This means that the degree to which other representatives abide by democratic standards will influence the ability of the representative to excel at representing constituents' interests. Such a representative may not be able to live up to the standards of ethics where fellow representatives show no regard for proper representation of constituents. The likelihood of such a system also becoming a tool of domination of its citizens is also inevitable.

There is need for people in position of authority like the representatives to have the obligation to demonstrate effectiveness in achieving goals. This can be done by a deliberate attempt to design accountability policy that would create awareness in both the representatives and constituents. Also, citizens must also be able to evaluate representatives and not feel vulnerable or easily disillusioned with democracy. They must also recognise the challenges that the representatives face in trying to achieve proper representation and not be too harsh in evaluating their actions. In advocating an ethics for good representation it will not be fair to paint an utterly perfect picture. There must be some tolerance of disagreements and

---

<sup>310</sup> Dovi (n 3) 183.

compromise which inevitably will arise. The acknowledgement of these inadequacies will determine how they would be reconciled when they arise.

The problem of abuse of office and the misuse of public office for private gains is inherently unethical but can be distinguished from simple incompetence. One way of combatting the misuse of office can be by enacting anti-corruption laws and strengthening of anti-corruption agencies like the Independent Corrupt Practices and other related Offences Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC) which are already in existence in Nigeria. This can also protect the citizens enabling them to report corrupt practices in the conduct of the representatives. A regime of mandatory reporting of all instances of suspected corruption and significant breach of ethical codes can also go a long way to make representatives aware that their activities are being scrutinised by those they represent. This can go a long way to make the representatives stay in line and focus on the interests of constituents.

In many jurisdictions, the Freedom of Information (FOI) Act has been enacted and this provides citizens with qualified rights to access any official information held by government or government agencies. Although this right does not operate where the responsible minister believes disclosure of such information would likely compromise the national interest, the economy or the investigation of a criminal matter, or would otherwise not be in the interest of the public, it is considered essential in ensuring the accountability of government officials including the representatives. This is a vital right for the functioning of any country's democracy and best practice of such laws can be found in the UK and other jurisdiction of the West. In Nigeria, the FOI Act passed in 2011 is an element of the right to freedom of expression provided under the Nigerian Constitution.<sup>311</sup> It is also proclaimed in other international treaties like the Universal Declaration of Human Right, (UDHR)<sup>312</sup> and the International Convention on Civil and Political Rights (ICCPR).<sup>313</sup> With the help of these regulations, corruption among government officials and mismanagement of public funds can be exposed.

Related to this, is the right of citizens to obtain reason for official decisions from public officers and this includes representatives. Under such law, constituents can be given the unqualified

---

<sup>311</sup> Section 39 of the Constitution of the Federal Republic of Nigeria 1999.

<sup>312</sup> Article 19 of the Universal Declaration of Human Right, 1948.

<sup>313</sup> Section 3 International Convention on Civil and Political Rights 1976.

right to be advised of the reason behind the decisions that the legislators in their constituencies make on their behalf. The legislators should be able to provide evidence of the information taken into account before they make decisions and the procedures followed if possible. This would go a long way in contributing to integrity and probity in decision making which would also prevent corruption and ensure the proper representation of constituents. Also, the Whistle Blower Protection Bill which is yet to be passed as at the time of writing this thesis is a step in the right direction in the fight against corruption and unethical behaviours in the society. By protecting those who expose wrong doing, the law seeks to increase accountability and increased information in the public domain.

### **3.7 Conclusion**

This chapter tries to develop a framework to explain how the ideas of right and wrong determine the extent to which representation can be achieved. It argues that political influences and human ecological influences play a huge role in shaping how representatives act. It has established that although right behaviour is a difficult concept to evaluate, ensuring that representatives abiding by both man-made and higher laws can enable them act responsibly. Hence the conceptualisation of ethics and responsibility among representatives is determined by the values in the society. The extent to which these values influence the activities of the representatives determine how they can act in an ethically acceptable manner for the betterment of the society.

Suffice it to say that, effective representation goes beyond the power that is bestowed on the legislators to represent. For them to effectively represent the interests of constituents, there must be in place some ethics of responsibility and a system of accountability that would hold them to account for their actions and their performance. The proper assessment of representative action must also be based on the norms and values that underlie or justify the democratic institution in which they operate. A representative may ultimately not be able to live up to the ethics of democratic representation and may face criticism on account of this. Bearing in mind that the institution may also cause some difficulties means that the focus needs to be on placing the right values on the institution. This, invariably, will elicit from the representatives the right kind of behaviour. Once it is seen that democratic representation is to be identified according to the function in realising the proper operation of the institution then the standards can be applied to the actors that operate within the polity. Democratic

representatives do act ethically and unethically and it is for the institution to have mechanism in place that would discourage unethical behaviour as well as encourage ethical ones. This it can do by putting incentives and sanctions in place that would reward or punish actors in the system.

Generally, ethical norm of the day determines what type of public behaviour is acceptable. Hence, actions of representatives might also serve as a prism to reflect the values that the society holds dear. The importance of this societal guidance lies in the fact that men are fallible and as such control over their behaviour is necessary. This guidance serves as a form of control which must also exist with incentives and punishment for there to be a balance.



## CHAPTER FOUR

### REPRESENTATION AS A CONSTITUENCY SERVICE

#### 4.1 Introduction

The view of representation as an activity has not been widely articulated as an explicit definition by political theorists. This assumption has been taken for granted as such discussions on representation hardly delve into what representatives do to represent constituents. In the previous chapter, the nature of representation has been analysed in depth and the importance of substantive acts are noted. This discussion has delved into the very act of representation itself analysing what it means to represent.<sup>314</sup> In the existing body of literature, different perspectives of representational mechanisms were recognised one of which is the allocation responsiveness.<sup>315</sup> This involves the focus on constituents and benefits to them and requires the representatives to do some kind of activity while representing constituents. Representation in this sense is said to be complete when the actions of the representatives are involved and that is what defines the concept.

Seen in this light, there is need for research to monitor the developing profile of representational activities and the changing political properties of the political system where the legislature acts.<sup>316</sup> In line with this, the chapter looks at representation as a constituency service. It examines activities undertaken by legislators to determine the extent to which they represent constituents' interests. The aim is to move from using activity as a casual description of representation to a more practical means of understanding real world politics. What is sought is to relate the concept of representation to the actions of the representatives rather than their positions as representatives. Such an understanding requires real acts that they engage in for which we can rightly and directly measure how they represent constituents.

The reason for this approach is not farfetched. Members' activity is an important way to understand the concept of representation. Political scientists have proved this by differentiating

---

<sup>314</sup> Hannah Pitkin, *The Concept of Representation*, University of California Press, 1967; Jane Mansbride, *Should Blacks Represent Blacks and Women Represent Women? A contingent 'yes'* *The Journal of Politics* 61(3) 628-57 (1999); Prewett Kenneth and Eulau Heinze, *Political Matrix and Political Representation Prolegomenon to a new Departure from an old problem*, *American Political Science Review* 63:427- 41 (1969).

<sup>315</sup> Eulau & Karpis, *The Puzzle of Representation* (n 12) 54.

<sup>316</sup> Loewenberg, Gerhard and Samuel C Patterson, *Comparing Legislatures*, Boston; little Brown, (1979)192.

members according to the level and type of activities and the advantage of these activities to their constituents.<sup>317</sup> Matthew makes a distinction between “show horses” who seek the legislative limelight and “work horses” who do the work behind the scene to produce good policy that would maintain the legitimacy of the legislature.<sup>318</sup> This shows that members’ activities remain an important factor in understanding the representational relationship.<sup>319</sup> Unfortunately, most of the activities of the representatives especially those that they perform outside the parliament go unrecorded. As a result of this, less is known about what the representatives do when they are outside the parliament and when they act on behalf of constituents.

The CDF is used as a case study in this research to test the efficacy of service delivery of the representatives. The role they play and the manner in which they engage with constituents in the implementation of this policy is examined. Their legislative accomplishments in terms of the benefits they bring to their constituency is also examined to see whether they reflect the expressed preferences of constituents. How decisions about the projects to be allocated in their constituency are arrived at are tested. This is compared with the constituents’ response about their views on those projects and helps in identifying whether representatives are able to use the CDF as a tool of representation that is responsive to the interests of constituents. This would also help to overcome some of the measurement related problems that are faced in determining the point at which the legislators and the constituents agree. Finally, it provides new evidence about how the actions of representatives and the relationship with their constituents affect representation.

The Chapter proceeds by evaluating the CDF analysing its operations in other jurisdictions that are successful in implementing its policy. It later examines how the CDF operates in Nigeria. This is necessary in understanding the working of the CDF and how it can be used as a tool to represent constituents. The extent of constituents’ involvement and the attentiveness of the representatives to their preferences all have important consequences to representation. How well the choices of projects and the decisions of the legislators align with the constituent’s preferences coupled with members’ conceptualisation of their constituent’s needs, and their

---

<sup>317</sup> Matthew, Donald R 1960 *US Senators and their World* Chapel Hill, University of North Carolina Press.

<sup>318</sup> *Ibid.*

<sup>319</sup> Janet et al, *The Effects of Political Representation on the Electoral Advantages of House Incumbents*, *Political Research Quarterly* Vol 56 No 3 (September 2003 p259-270 at 260).



ability to make contact with them, determines how they represent constituents' interests.<sup>320</sup>In other words, representation is looked at as a normative property of the relationship between the representative acts and the opinion of the constituents as a whole. Problems that are associated with the implementation of the CDF and why it may pose a challenge for legislators to use as a tool to represent constituent is brought to light. This demonstrates that, other factors may be impeding the desires of the representatives to represent constituents. Apart from the institutional framework of the CDF policy, the nature of relationship between the representatives and their constituents, operates as a hindrance for the CDF to be used as an effective tool of representation to meet the generality of the constituency needs.

In evaluating how representative acts are performed, a simple approach of the theory of representation in which it considers the representational relationship on a singular issue and dimension which is the use of the CDF in representing is taken. Focus is on the representation of each constituency by their elected representatives and within this structure, a simple empirical model of representation is construed. No argument however is made here to the effect that, the approach taken exhausts the meaning of the concept of representation or what it means to represent. This cautious approach is adopted in consonance with Achen's observation that, in reality, no persuasive general theories of representation have yet been formulated which would allow for the measurement of representation satisfactorily from any philosophical viewpoint.<sup>321</sup> Invariably, the chapter raises the following question: How well does the action of the representatives match the preferences of the constituents? Does the degree of interaction reflect significant differences between what the representatives do and what the constituents want? In order to have a better perspective of the use of the CDF as a tool for representing constituents and as a constituency service, it is necessary to have an insight into how the CDF works. Overall the chapter will contribute to the discussion on the relationship between the representatives and their constituents and how well they are able to act in their interests.

## **4.2 Overview of the Constituency Development Fund**

To gain a proper perspective into this form of representational activity by members of parliament, there is need to understand that parliamentary involvement in community

---

<sup>320</sup> David George and Gabriella Ilonszki, Member Constituency Linkage in the Hungarian Parliament, *Legislative Studies Quarterly*. Vol 20 No 2 May 1995 pp 161 -176 at 161.

<sup>321</sup> Christopher H Achen, Measuring Representation, *American Journal of Political Science* Vol 22 NO 3 (Aug 1978) pp 475- 510 at 478.

development has become a trend that is prevalent in many countries.<sup>322</sup> The CDF as a policy tool has been identified to make this initiative possible in developing countries. This is a policy that benefits specific political subdivisions through allocations and/or spending decisions influenced by Members of Parliament.<sup>323</sup> The funds are intended to address the particular need of a local community.<sup>324</sup> This form of constituency intervention is not only found in Africa but also in the United States where congressional allocations are called “pork barrel” or “member items”.<sup>325</sup> In the same vein, systems of politically determined resource allocation to local communities can be found in other economically advanced countries such as the UK.<sup>326</sup>

The mandate of taking development to citizens at the grass root level makes the CDF an important driver for constituency service. As a decentralisation effort, it is seen as a policy that brings the government closer to the people. Certain principles and guidelines that are consistent with international norms and values about legislative performance and socio-economic development needs to be followed.<sup>327</sup> These principles highlight the importance of project selection and implementation that enables the citizens to work together with representatives for the development of their constituency. It entails the demand for accountability and regular oversight. Through monitoring and evaluation, decisions about what projects are most successful in promoting the developmental needs of a particular constituency are made.

As a distributive policy tool, the success of the CDF policy is contingent upon inclusive process of consultation with constituents who have the responsibility to identify the areas of need in their constituency. These channels of input for the local citizens foster co-operation with the representatives and enable them to respond adequately to the local development needs. The policy has however, been criticised by some writers who feel that, securing federal funding for a district is a way of helping members of parliament (MP) at the ballot box and allowing them to claim credit for the benefits the funding provides.<sup>328</sup> Questions have been raised as to whether the CDF serves as a compensation for the Parliament’s inability to amend the budget

---

<sup>322</sup> Mark Baskin, Constituency Development Fund (CDFs) as a Tool to Decentralised Development State University of New York Centre for International development (SUNY/CID), (2010)1.

<sup>323</sup> Ibid.

<sup>324</sup> Hickey Tshangana, Constituency Development Fund Scoping Paper, International Budget Partnership, Open Budgets Transforms Lives, January (2010) 1.

<sup>325</sup> Baskin (n 322) 2.

<sup>326</sup> Ibid 3.

<sup>327</sup> Principles and Guidelines for Constituency Development Funds, CPA-SUNY Workshop on Constituency Development Fund, June 9, 2011.

<sup>328</sup> Ken Smith, Pork Barrel Politics: Motives and Benefits, Journal of Political Research, Vol II (2001) 2 [www.creighton.edu](http://www.creighton.edu).

of these systems.<sup>329</sup> Related literature have also analysed legislator's effort to perform constituency service as what builds a personal vote, with the submission that, such effort is an important determinant of observed incumbency advantage.<sup>330</sup> The views expressed are to the effect that the paramount objective for the members of parliament engaging in this kind of service is seen to be re-election only.

It needs to be noted that most of the literature offer very little evidence on examining the activity of legislators to see if they are in line with the preferences of constituents. They tend to focus on the institution, investigating for instance, how the effect of political parties on the legislator's behaviour serves as an incentive for the legislator to bring benefits to constituents.<sup>331</sup> However, the extent to which these parties are able to choose candidates that have high ability to deliver public goods to constituents coupled with the ability of the political party themselves to credibly advance policy programme to voters are major problems that are likely to affect measurement of the effectiveness of this policy initiative.

In the light of the above, focus here will be on the actions of the legislators independent of the institutional environment. The investigation looks at whether in acting on behalf of constituents; representatives are being responsive to their preferences and thus achieving representation. The significance in using the CDF is that, the measure can be uniquely attributed to the individual legislator's action. This can be associated with the benefits that flow uniquely to the legislator's constituency and linked with constituent's preferences. Thus, it will enable us to see the extent to which constituents' interests are taken on board. Finally, it will throw more light on the relationship that exists between the representatives and their constituents.

Given that legislator's efforts are not easy to measure, using the level of their responsiveness to constituents' preferences, may provide areas where both parties are able to agree on the same plan of action. In such situations, the legislator's action becomes equal to constituents' preferences. Where this is not found, it shows that either the constituents are not involved in the decision making about projects in their constituency or that the legislators, acting as

---

<sup>329</sup> Baskin (n 322) 3.

<sup>330</sup> Cain, Ferejohn and Fiorina, *The Personal Vote, Constituency Service and Electoral Independence*, Harvard University Press 1987.

<sup>331</sup> S Ashworth & E Bueno Mesquita, *Delivering the Goods, Legislative Particularism in Different Electoral and Institutional Settings*, *The Journal of Politics* 68(1) (2006) 168-179 at 170.

representatives, have acted based on what they think are the needs of the constituents without consulting them. The next section will look at countries where the CDF operations have been found to be successful; this gives an insight to the implementation of this policy initiative.

### **4.3 Cross Country Experiences**

The development of CDF in many countries has provided practical analysis towards the understanding of legislative performance in these countries. Taking a closer look at the CDF and comparing it with “pork barrel” as applicable in the US, one finds that there seems to be a fundamental difference as the former is more of an informal mechanism that is employed on a case by case basis. In the “pork barrel”, members have to make an effort to secure federal funding to be used across congressional districts.<sup>332</sup> In this instance, the measurement looks at the ability of the legislator to secure “pork” or how much “pork” a particular member is able to secure for their individual constituency. Meaning that, the member’s ability determines the number of pork that they can secure for their constituency. A member with high ability will secure millions in pork for their constituency while another member with low ability will secure only a few hundreds.<sup>333</sup> In the case of the CDF, budgetary allocations are made to each representative for use in their constituency and access to these funds is not dependent on the legislator’s effort. They all have equal incentive to use this policy to represent constituents.

Another significant difference between the CDF and the Pork barrel is that, the administration of the funds, the means of disbursement and the entities that are responsible for oversight are all elements that seem to be settled in the case of the Pork barrel. This does not seem to be the case in developing countries where the CDF operates. Due to poor implementation and monitoring, this policy area seems to be a fertile ground for corruption to flourish. Despite this shortcoming, the practice of the CDF has gradually gained prominence in some African countries and other parts of the world. Presently, 23 countries have the CDF in various forms including Kenya, Pakistan, India, Uganda, Bhutan, Jamaica, Papua Guinea, South Sudan, Philippines, Honduras, Nepal, Solomon Island, Tanzania, Malawi, Namibia, Zambia, Ghana and Malaysia.<sup>334</sup> Looking at the various jurisdictions, there are variations on how the policy is implemented. However, the main object of the CDF seems to be the same which is to meet the needs of a particular constituency.

---

<sup>332</sup> Smith (n 328) 2.

<sup>333</sup> Ibid p 6.

<sup>334</sup> Baskin (n 322).

In the Indian version known as the Member of Parliament Local Area Development Scheme (MPLADS), funds are allocated to a single member parliamentary constituency for use on local works recommended by the MP. These funds are placed in a trust fund for the constituency and unspent money accumulates overtime such that when an MP leaves office the unspent money is at the disposal of the successor.<sup>335</sup>

In Kenya, the CDF is a strategy for devolution of resources and the attainment of even development planning that would enable grass root communities maximise their welfare in line with their needs.<sup>336</sup> The Kenyan government enacted the Constituency Development Fund Act 2003 due to the identification of centralised planning as a serious development bottleneck. It had to devise strategies for the gradual devolution of the decision-making power to the local level.<sup>337</sup> Thus in their Economic Recovery Strategy for Wealth and Employment Creation (ERSWEC), the government allocates 7.5% of direct government revenue to the CDF. This programme aims to promote social and economic development and to reduce poverty, hardship and vulnerability in the country especially among the marginalized.<sup>338</sup>

In order to ensure effective implementation of the policy, various countries have adopted various mechanism in the implementation of the CDF to enable it achieve its policy objectives. Some countries have provided for a bias allocation process towards meeting the needs of poorer communities.<sup>339</sup> This is the case in Kenya where allocation of funds is aggregated in terms of the level of poverty in a particular community such that, poorer constituencies tend to have more funds allocated to them. In this regard, 75% of the funds are distributed equally among the 210 constituencies and the remaining is allocated to the poorest constituencies.<sup>340</sup> This is done in order to bring them at par with their counterparts in other communities. This is also the case in Tanzania, where in addition to the poverty indices, they went further to include geographical and population size as factors in determining their allocation formula.<sup>341</sup> These factors are expected to affect considerably the impact of these funds in these areas, as there are

---

<sup>335</sup> Philip Keefer Stuti Khemani, When Do Legislators Pass ‘Pork’? The determinants of Legislator Utilization of a Constituency Development Fund in India, Policy Research Working Paper 4929, World Bank Development Research Group Macroeconomics and Growth team (2009) 6.

<sup>336</sup> Ezekiel Mbitha Mwenza, From Centre to Magin: An Appraisal of the Constituency Development Fund (CDF) as a Decentralisation Strategy in Kenya, pp 2 [www.eldis.org](http://www.eldis.org) accessed Dec 2016.

<sup>337</sup> Ibid.

<sup>338</sup> Ibid.

<sup>339</sup> Tshangana (n 324) 5.

<sup>340</sup> Oxford Analytica, “Africa: Wide CDF adoption belies limited efficiency” (April 2009).

<sup>341</sup> Ibid.

marked differences in the utilization of CDF in the various constituencies depending on the individual needs of these constituencies.

A peculiar situation found in most of the jurisdictions is that committees and authorities that are in charge of the management and implementation of the policy are appointed. The appointment of a committee ensures that the implementation and management of these projects is not left solely in the hands of the legislators alone. The Kenyan system makes provision for a committee of about 12 to 15 persons formed by the legislators and administrators who oversee the implementation of the CDF.<sup>342</sup> The same has been found in Uganda<sup>343</sup> and in Tanzania.<sup>344</sup> The situation in India is different in the sense that the MPs only make recommendations of development projects which meets the needs of the communities they represent and this is included in the budget.<sup>345</sup> Different jurisdictions have adopted different methods in determining the involvement of legislators. The critical design feature which acts as the key determinant of the degree of control afforded by the representatives in the various jurisdictions is presented below. It shows the different approaches of control exercised by the legislators which could be greater or lesser. At the top of the table, legislators tend to have a high degree of influence as a result of the funds being directly transferred into their personal accounts or they being signatories to the fund accounts. While at the bottom there seems to be a low degree of influence by the legislator because funds are kept in a separate account and there are two or more signatories to this account.

---


<sup>342</sup> Oxford Analytica, "Africa: Wide CDF adoption belies limited efficiency" (April 2009 p. 7.

<sup>343</sup> Africa Leadership Institute "Development or Politic of Patronage? A study report of the Constituency Parliamentary Debates on the Constituency development Funds and the Parliamentary Score card as piloted in Nyabushozi, Makindye, Aruu and Bukedea Constituencies in Uganda (2008)<http://www.aflia.org/uploads/publications/cdfreport.pdf> accessed Dec 2016.

<sup>344</sup> According to the Development Partners Group Tanzania, the management of the Tanzanian CDF is guided by the Joint assistance Strategy (JAST).(<http://www.tzdp.org>) accessed Dec 2016.

<sup>345</sup> Sian Herbert Working with Members of Parliament Constituency Funds, GSDRC research Report (2013) 2 [www.gsdrc.org](http://www.gsdrc.org).

**Table 4.1 CDF Design Elements Impacting the Degree of MP Control**

	<b>Authority to Appoint CDF Committee</b>	<b>Funding Flow</b>	<b>Signatories on Cheques</b>
<p><b>High Degree of MP influence</b></p>  <p><b>Low degree of MP influence</b></p>	<ul style="list-style-type: none"> <li>- MP appoints all members of the CDF committee</li> <li>- MP serves as Chair of CDF committee</li> <li>- MP serves on Committee as patron instead of Chair</li> <li>- Legislation requires representation from certain groups</li> <li>- Potential Members of Committee nominated by the public</li> <li>- Public votes on members of Committee</li> </ul>	<p>Funds Transferred directly to MPs personal accounts</p> <p>Legislation requires that separate commercial accounts be set up for CDF</p>	<p>MP is a signatory</p> <p>MP is not a signatory only 2 signatories who are civil servants</p> <p>3 or more signatories including district representatives</p>

Source: International Budget Partnership 2010.

An important fact with this fund is that, in most jurisdictions, the funds are internally generated revenue. Few countries tend to mention donors or international actor’s engagement in this programme. The general perception is that, the CDFs are unpopular with donors. Studies have come up with the view that donors have more concerns than confidence in the CDF.<sup>346</sup> Instances where donors are involved are found in Solomon Island CDF which gets funding from the Republic of China and in Tanzania which gets funding for their CDF from International Organisations and NGOs.<sup>347</sup>

The mechanism of distribution and implementation also seem to be varied amongst the different countries where the CDF is found. The common characteristics found in all these countries is that, the legislator usually acts on behalf of the host constituency either in Parliament or in a CDF committee. The projects implemented with a few exceptions are mostly funded directly from the state budget and they are usually identified as the legislator’s constituency project.<sup>348</sup>

<sup>346</sup> Tshangana (n 324) p.17.

<sup>347</sup> Herbert (n 345) 2.

<sup>348</sup> The case in several communities is that such projects will have a notice by it bearing boldly the name of the legislator and stating it is their constituency project.

There is no doubt that such a community-based initiative is intended to protect communities from impersonal administrations of inflexible and centralised state organisations that often overlook individual communities in the course of development. Nigeria like other African countries has seen the benefits of adopting this policy, but the extent to which it has been used to represent constituents is what needs to be assessed here. In the next section, an analysis of the CDF in Nigeria will be done to see how effective it has been in meeting the objectives of its policy which has the bottom line of representing constituents' interests.

#### **4.4 Conceiving the CDF as a Tool of Representation in Nigeria**

The enthronement of democratic dispensation in Nigeria after a long Military intervention made it expedient for good governance and the rule of law to take its place. There was the need for the government to embark upon different measures that were aimed at delivering the dividends of democracy to the people.<sup>349</sup> The CDF was one of the policy initiatives identified for this purpose. The major argument by proposers was that the centralised revenue allocation formula adopted by the country whereby the federal government gets 52.6%, the 36 states get 26.72% and the local government 20.60% is a reason why there is lack of resources especially at the local level.<sup>350</sup> They argue that the initiative was to ensure even development in all the different areas of the country. The projects which are mainly designed and implemented locally are to be funded from the revenue allocation of the federal government. These funds are allocated per state at the federal level and executed with the active participation of the legislators to provide developmental projects for their respective constituencies.<sup>351</sup> The projects allocated in the various constituency districts are meant to reflect localised needs and preferences of the people thereby stressing the importance of consultation with the constituents.<sup>352</sup>

The policy finally took root in Nigeria in the dawn of the fourth republic which started in 1999.<sup>353</sup> Following this request by the Nigerian legislators for more equitable distribution of

---

<sup>349</sup> Orimogunje, Legislative Constituency Project in Nigeria: A matter for Constitutionality or Political Expediency? *Journal of Law Policy and Globalisation* vol 14, (2015) p. 180.

<sup>350</sup> Phillip Musa, Olalekan Eytayo Ajibade, Local Government and Challenges of Revenue Allocation in Nigeria: A Study of Yewa South Local Government, Ogun State, *Journal of Public Administration Finance and Law*, Issue 10, (2016) 61.

<sup>351</sup> Albert Van Zyl, What is Wrong with the Constituency Development Fund? In *International Budget partnership (IBP) Budget Brief No 10* [www.internationalbudget.org](http://www.internationalbudget.org).

<sup>352</sup> Mwangi S Kimenyi, Efficiency and Efficacy of Kenya's Constituency Development Fund: Theory and Evidence, University of Connecticut (2000) p.2.

<sup>353</sup> The Fourth republic in Nigeria refers to the period of democratic system of government which came into effect in 1999 after a long period of Military Rule.



resources to their constituencies, the Executive under the then President Olusegun Obasanjo approved this programme. With an executive pronouncement, the sum of N5 million to each of the 109 Senators and N3 million each to all the 360 Members of the House of Representative was disbursed to kick start the process at the federal level and this became an annual allocation.<sup>354</sup> States governments of the federation have since followed suit by allocating constituency funds to their members of Assembly annually. This is usually captured in both the federal and state appropriation annually.

Although during the Obasanjo's administration the projects were mainly restricted to small projects like water and rural electrification, with time other projects such as construction of educational and health facilities, construction of rural roads, bursary and other infrastructural development were included. The amount allocated for projects also continued to increase over the years. For instance it was stated that between the period 2004 and 2013, N900 Billion was allocated to the CDF project at the National Assembly. This statement was credited to the then Chairman on the House Committee on Millennium Development Goal (MDG) Senator Mohammed Udume, who revealed that the National Assembly has been allocated N100 Billion each year since 2004.<sup>355</sup> This makes Nigerian CDF one of the most expensive in the world as the allocations from inception put together run into billions of dollars.

The reason for this huge allocation could be the realisation of the massive infrastructural deficit especially in the rural areas and the need to cover the gap by having the presence of government in every constituency. Although comprehensive record for the allocation and implementation of these projects from inception is scarce, few records have been put together by credible civil society organisations and NGOs that have followed the progress of the programme. This research relies on some of these records in the evaluation of the CDF policy. For instance, BudgIT Nigeria (a civic technology organisation) monitored the implementation of this programme to assess their impact. In 2010 they tracked 436 constituency projects in 16 States across the 6 geopolitical zones of Nigeria. They found that 145 of these projects were completed, 221 abandoned while 77 were ongoing at the time.<sup>356</sup> The general project status as presented by BudgIT is seen below.

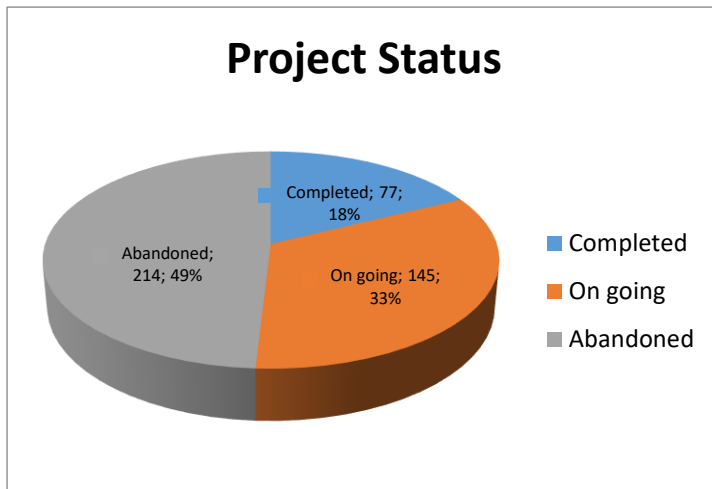
---

<sup>354</sup> Udefuna et al Legislative Constituency Project in Nigeria: Implication for National development. 2013, p.647.

<sup>355</sup> Nigerian Intel 8<sup>th</sup> Oct 2013 "N900 Billion on Constituency Project".

<sup>356</sup> [www.ngyab.com](http://www.ngyab.com).

**Fig 4.1 Project Status 2010**



Also, Tracka an initiative supported by the Open Society Initiative for West Africa (OSIWA) gives a useful and vivid account of CDF allocation and projects implemented across the federation for 2016 and 2017. Their report reveals that in 2016 the Executives decided to give the funding a new name: Zonal Intervention Project (ZIP). Under this initiative, N100 Billion was allocated for 2515 constituency development projects across the six geopolitical zones.<sup>357</sup> This was included as a capital supplement in the appropriation budget of the federal government. The question raised was whether this can still be regarded as the CDF or some other type of development fund. A major deviation of the ZIP from the CDF was the fact that the Executives seemed to have some kind of control over it as the projects were pre-allocated. Also, it was alleged that they would decide the kind of project that would be implemented under the programme.

Tracka report indicated that, due to the lack of monitoring by government authorities, 40.4% of the projects for that year were unexecuted although they had been signed off and paid in full.<sup>358</sup> This goes to show the gap in implementation. Also, the legal framework of the policy itself is flawed in that it gives room for disagreements between the executives and legislators on who should actually be in control of the funds. The corollary effect of this is that citizens are restricted from stating their preferences or asking questions due to the complete block of information on projects stipulations and status. Below is a breakdown of allocation of projects to the 6 geopolitical zones and the 36 states of Nigeria for 2016.

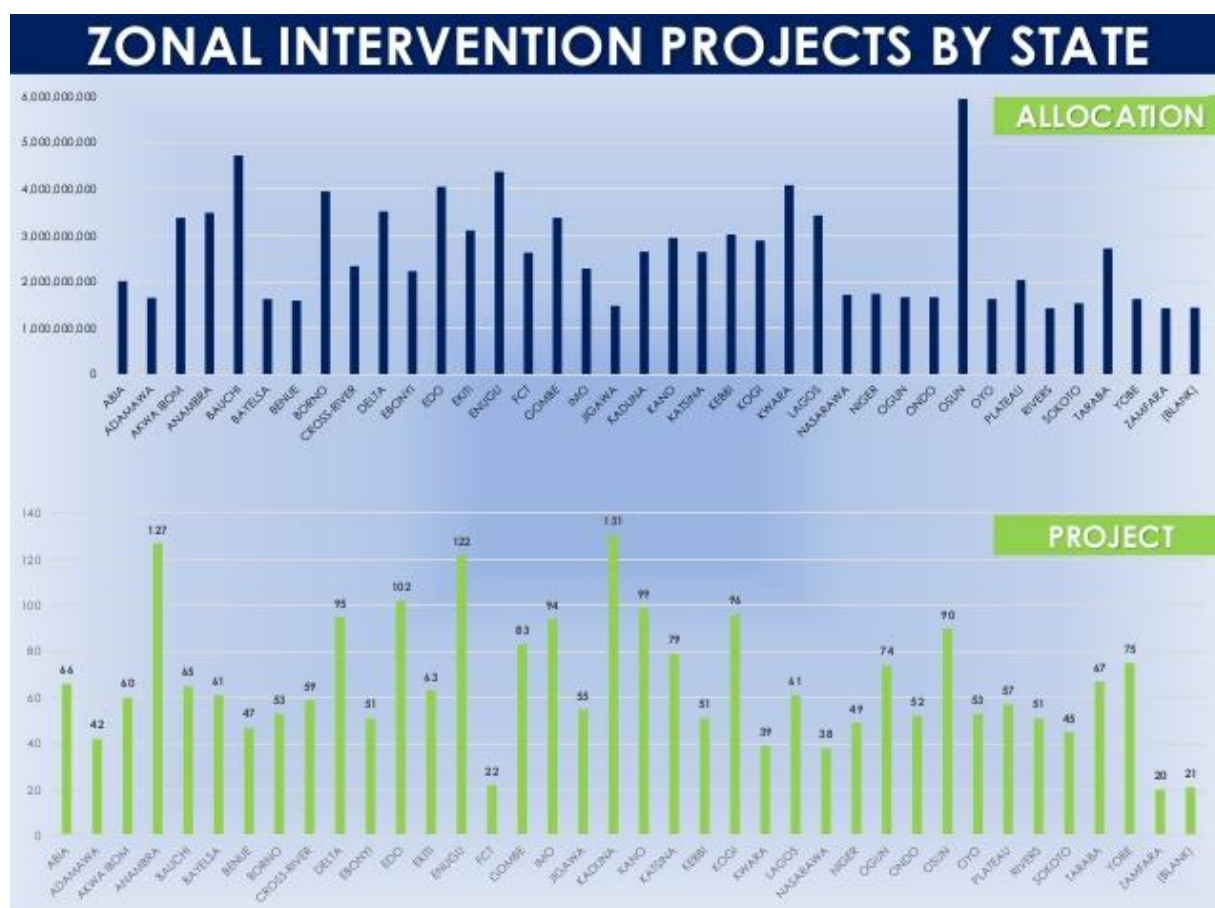
<sup>357</sup> [www.slideshare.net/statistisense/2016-zonal-intervention-project-and-nass](http://www.slideshare.net/statistisense/2016-zonal-intervention-project-and-nass).

<sup>358</sup> [www.tracka.ng](http://www.tracka.ng).

**Table 4.2 2016 Zonal Intervention Projects and Zones**

Zone	Number of Projects	Amount
North Central	348	16,679,462,824
North East	385	18,039,734,670
North West	480	15,700,975,463
South East	460	14,377,900,000
South South	428	16,331,575,832
South West	393	17,428,342,218
Unknown	21	1,442,000,000
<b>Grand Total</b>	<b>2515</b>	<b>100,000,000,000</b>

**Fig 4.2 2016 Zonal Intervention Project and Allocation**

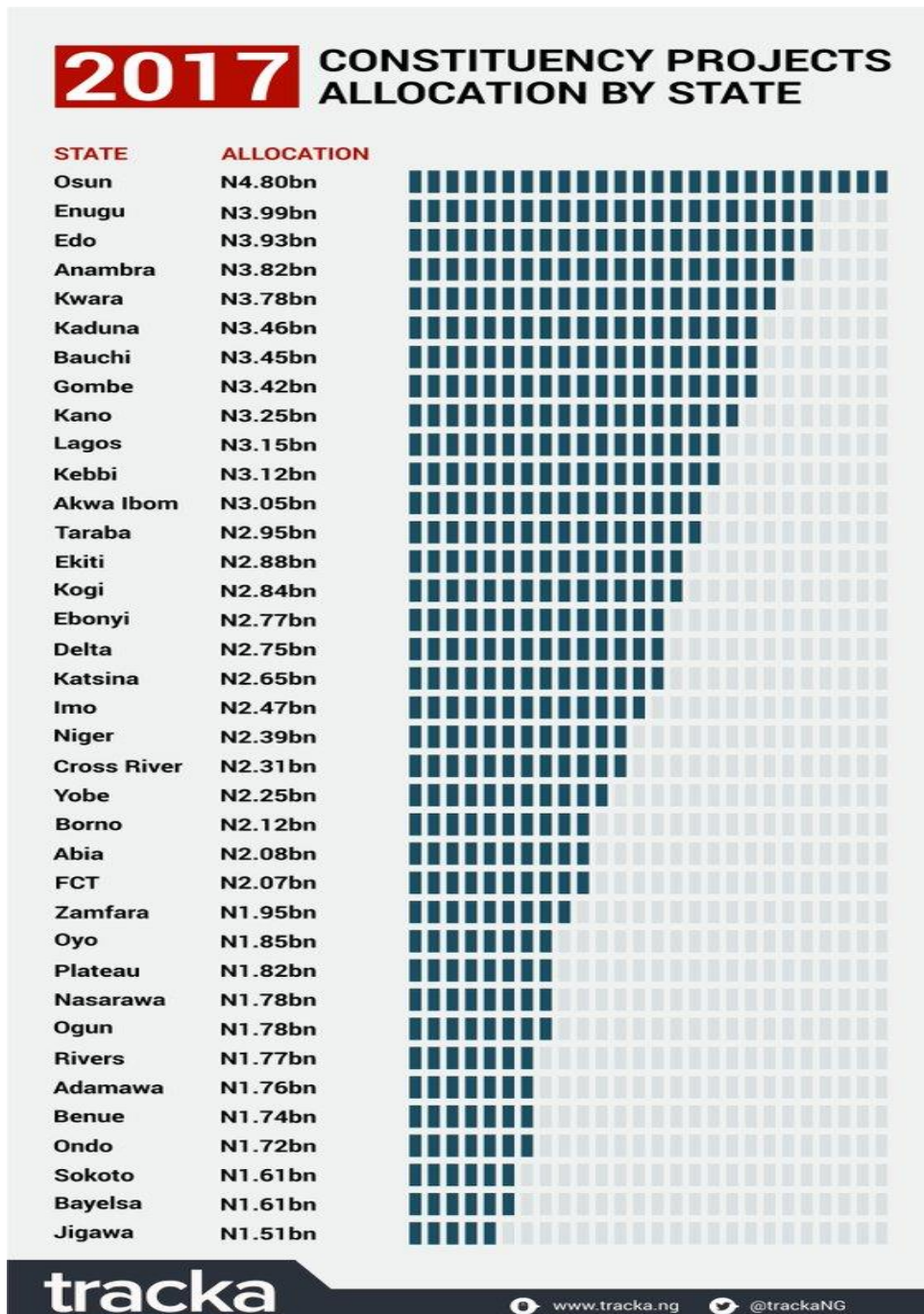


Source: [www.slideshare.net/statisense/2016-zonal-intervention-projects-and-nass](http://www.slideshare.net/statisense/2016-zonal-intervention-projects-and-nass)

Another deviation of the ZIP from the regular CDF fund was that there was no uniform allocation as has been the case with the CDF in previous years where members were allocated equal amount for their respective constituencies. This pattern was also followed in the 2017

Constituency allocation where each of the 36 states and the FCT had their individual allocation assigned. The table below shows the breakdown of funds allocated per state in 2017.

**Fig 4.3 2017 Constituency Project Allocation by State**



Source: statistisense.net

From the inception of this policy in Nigeria, it was clear that the legislators were meant to play a central role in the implementation of this policy. This is contrary to what obtains in other

jurisdiction where they use committees or merely identified the projects for their constituencies. Although, the legislators have argued otherwise, there is still a lot of controversy with regards to their role in the implementation of this policy.<sup>359</sup> Apart from the ZIP in 2016 and in 2017 where the projects were pre-allocated, it has been alleged that allocations for CDF projects had always been made to the legislators directly. This position is widely believed because the Former President Olusegun Obasanjo in an open letter to the National Assembly accused the legislators of corruption and taking constituency funds and failing to implement the projects.<sup>360</sup>

Nonetheless, the aim of this research is not to examine the legality of the actions of the legislators, but as argued by Udefuna et al, it goes to show the loopholes in the Nigerian political system which also affects the implementation of the CDF. The country seeks to establish the CDF through an Act of Parliament that has passed its second reading as at the time of writing this thesis. This Act seeks to criminalise persons who embezzle funds that are meant for development and the benefit of constituencies. According to the draft Bill, the CDF would constitute 2.5% of the annual capital budget of the nation.<sup>361</sup> As stated earlier, unlike what obtains in other jurisdiction, the legislators in Nigeria do not need to exert any effort in getting the funds for use in their constituencies. They all have allocations for their various constituencies. What is required is for them to ensure that these funds are used for the furtherance of their constituency interests. How well they are able to do this is a measure of the extent to which they are able to represent constituents' interests in this regard.

Hence, the main challenge is how these funds are utilized to address constituent's needs. If put to proper use in line with its objectives, it would go a long way to improve the living standards of rural communities. This policy invariably provides substantial incentive for legislators to show constituency related behaviour that ought to increase competition amongst them to exert effort on behalf of constituents. The question that needs to be asked is whether, with an

---

<sup>359</sup> Udefuna et al presenting the argument of the Members of the National assembly as follows: Senator Femi Okuronmu argued that the rationale behind the introduction of the CDF is to ensure minimum presence of government in every Constituency...legislators are mere required to identify projects; Senator Ayogu Eze is also of the position that "Our role is simply to identify projects for our constituency while the Executive arm of government will identify the contractor to execute the project; Also Anyanate E 2009, quoting the Deputy Senate President stated this "Ekweremadu argued that this is due to the fact that there will be lopsided development in the country, if governors and senators were allowed to decide where projects should be cited. As a result, all the representatives usually come up with what their constituency want".

<sup>360</sup> Premium Times, Festus Owete, Exclusive: Obasanjo writes Saraki, Dogara, accuses National Assembly of corruption, greed, lawlessness and impunity, (January 27 2016).

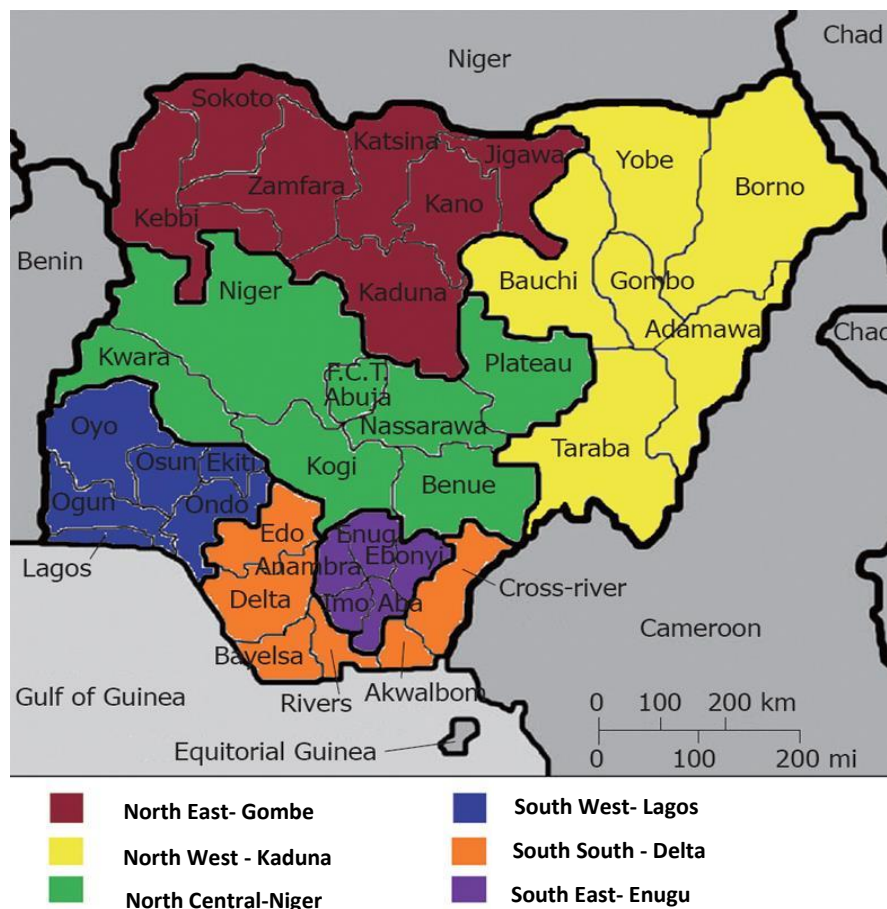
<sup>361</sup> Thursday News June 3 2016, Bill Proposing 2.5% Statutory Allocation to Constituency Projects passes second reading.

incentive like the CDF legislators are able to represent their constituents in the allocation of constituency projects? Do the pressures from the constituents to attend to personal problems reduce the incentive for the legislators to represent constituents using the CDF? An examination of this activity is necessary in order to determine the extent to which it is used to represent constituents.

#### 4.5 Legislators Activities and the use of CDF

To appreciate the use of the CDF in Nigeria a few projects that cut across the six geo-political zones were sampled. A random selection of one state from each geo-political zone is done and the implementation of the CDF is examined to assess its effectiveness in meeting the needs of the constituency. The Fig below shows the map of Nigeria and indicates what state is picked from each zone.

**Fig 4.4 Map of Nigeria showing selected States from each zone**





The research uses a descriptive and fact-finding approach to get information that describes the implementation of the CDF in these chosen areas. Data from Tracka is relied upon to give a comprehensive account of the issue. As a platform designed to follow up budgetary capital expenditure and constituency projects in communities, their aim is to ensure that there is service delivery by government to the people. In 2016 they tracked a total of 852 projects in 20 states of the federation. The project performances in these states were recorded in their national report. This research samples 6 of those states in the report. It is worthy to note at this stage that all these states had CDF allocation and projects were sited in them. A random selection of one state from each zone gives an effective view of how the CDF is being implemented. The objective is to find out whether the CDF as an activity that legislators engage in can be used to represent the interests of constituents. Physical projects and their location had to be traced. Documentary and photo evidence from Tracka report were also used to establish the existence of these projects and how they were implemented. The approach here is not to generalise, but to create an understanding of how the programme is being implemented and to assess its effectiveness as a tool of representation. The importance of this approach lies in the fact that it is useful in describing a population that is too large for the researcher to observe directly.

The fact that ordinarily the CDF as a policy should provide the incentive for legislators to represent the interest of constituents makes the enquiry into it a legitimate one. The way to ascertain whether a programme like this is effective is to see if it is able to achieve its set objectives. The objective in this case is to ensure that infrastructural and social development projects are distributed evenly so that all citizens including those in the rural areas would benefit. However, the results obtained were not very reassuring. Several of these projects were reported to be abandoned. Members of the representatives are reported to be more inclined in following their own conscience than to follow the lead of their constituents in areas where projects were sited. It was also revealed that constituents lacked knowledge or information about the policy objective of the CDF. They did not have proper expectation of representatives they were generally dissatisfied. Thus it was revealed that the CDF was ineffective in meeting the needs of constituents to a high extent. The analysis below gives a brief account of CDF projects and implementation as presented by Tracka in 2017.

#### 4.5.1 North Central – Kwara State

Kwara State is located in the North Central Senatorial District of Nigeria with a population of about 2.37 million as at the 2006 Nigerian census. The state had a total of 8 projects that were tracked within the period. The status of these projects is presented below.

Fig 4.5 Showing Status of Project in Kwara State

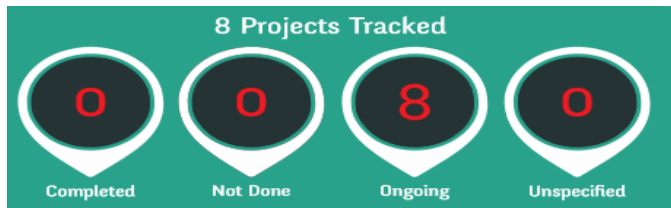


Fig. 4.6 Sample of Projects in Kwara State



Source: Tracka report 2017

The projects in the state included the following: rural electrification, construction of boreholes and drainages for erosion, supply of empowerment materials such as tricycles for the youths and grinding machines for women. Other notable CDF projects in the state were the construction of class room block in Ansar-Ul-Isam Junior Secondary School in Oke-Aluko Community.

Report from Tracka indicated that the supply of empowerment material comprising of 30 tricycles and 150 grinding machines in Ilorin East and Ilorin South constituency amounting to



N63 million was flawed.<sup>362</sup> The residents alleged that they were not aware of this provision for their constituency and that only a fraction of the equipment must have been supplied. It was also found that those who benefited from the projects were mainly political loyalists.<sup>363</sup> With regards to the construction of the classroom blocks in Arsa-Ul-Isam Junior Secondary School which amounted to N16 million it was noted that only 2 classrooms were built instead of 3. In another location in Adeta Ilorin where 8 classroom blocks were allocated, only 6 classrooms were built with no furniture in them.<sup>364</sup> On the whole the report indicates that people showed their displeasure on how the projects were being implemented and the lack of contribution on their part either by indicating what they would prefer or by being recruited as labour for the construction of these project.

#### 4.5.2 North East- Gombe State

Gombe State is located in the Northern part of the country and had a total of 43 projects tracked. The status of these projects is presented below.

**Fig 4.7 Status of Project in Gombe State**



**Fig 4.8 Samples of Project in Gombe State**



Source: Tracka report 2017.

<sup>362</sup> BudgiTracka, 2016 Federal Constituency Project Lesson and Findings from Focus States July (2017)

[info@tracka.ng](mailto:info@tracka.ng).

<sup>363</sup> BudgiTracka report p.113.

<sup>364</sup> BudgiTracka report p.113.

Projects in the state included the rehabilitation of electric pole and wires at Kwali Yalmatu community at the cost of N5 million and the provision of 500KVA transformer in the same community at the cost of N500 million. It was reported that the transformers were installed but the community members were dissatisfied as they complained that the transformers were unable to supply adequate power to the community.<sup>365</sup> Further engagement of Tracka officials with community members revealed that the community being mainly a farming community did not care much for having a transformer. The community members it was reported complained that they would rather have a community health centre as the only one in the community was overstretched. It was found that this community had an 8 bed facility that was used by the 32 surrounding villages. Reports from the Guardian Newspaper reveals that, due to the inadequate health facility in the area there is high level of maternal and infant mortality in these communities.<sup>366</sup> Other projects in the state consist of provision of potable water, agricultural and educational facilities etc in various locations and at various cost. The report indicates that members of the community were unaware of these projects until they were informed of its approval by Tracka officials in a sensitisation visit to local communities in the state.<sup>367</sup>

---

<sup>365</sup> BudgitTracka report p. 189.

<sup>366</sup> Auwal Ahmed, Maternal and Child Deaths: A Battle Gombe State is not Winning, The Guardian August 18 2017.

<sup>367</sup> BudgitTracka report 190.

### 4.5.3 North West – Kano State

Located in the Northern part of Nigeria, the state had a total of 36 projects tracked. The status of these projects is presented below.

**Fig 4.9 Status of CDF Projects in Kano State**



**Fig 4.10 Sample of CDF Projects in Kano State**



Source: Tracka Report 2017.

Projects in the state include the provision of water hand pumps and solar powered boreholes in various communities at various costs. It was reported that the community members commended the government for the provision of potable water in their community. They were of the view that the project was beneficial to them as it reduced significantly the water borne diseases suffered by the community.<sup>368</sup> Another notable project in the state was the provision of a comprehensive cottage hospital with full modern equipment at Darin-Kow community at the cost of N72 million. Others were the construction of township roads at Kawo Town at the cost of N60 million. An educational facility located in Doguwa Tudun Wada Community at the cost of N78 million was said not to be in accordance with the specification.<sup>369</sup>

<sup>368</sup> BudgetTracka Report 81.

<sup>369</sup> BudgetTracka Report 83.

On the whole, members of the community seemed satisfied with whatever they saw from the government and they tend to be content with these projects. It was reported that, constituents do not have the habit of questioning relevant authorities who fail to carry out their responsibilities towards them. Even where majority of these projects are abandoned, the constituents seem to be satisfied. The report shows a lot of these projects have been fully paid for and yet unimplemented yet constituents hardly raised any question.

#### 4.5.4 South East- Enugu State

Enugu state is located in the eastern part of Nigeria, with a population of about 4.26 million people. A total of 24 projects were tracked in the state and their general status is presented below.

**Fig 4.11 Status of CDF Project in Enugu State**



**Fig 4.12 Sample of CDF Projects in Enugu State**



Source: Tracka Report 2017

CDF projects in the state include renovation of administrative and laboratory block at the Community High School Ogor Affa, in Udi LGA at the cost of N25 million. Another notable project in the area was the construction of drainage for erosion control in the same community at the cost of N40 million. Both projects it was reported gave concerns to residents of the state as they complained that the laboratory was built without equipment while the drainage system

was built with substandard materials.<sup>370</sup> Other projects were the construction of rural roads in 3 different communities at the cost of N100 million each. The building of a vocational training centre for youths and women in Ikanu community at the cost of N50 million and water projects at various cost across communities were also amongst the CDF projects in the state. Most of the projects according to the report were at various levels of completion. Although this state unlike the others had only one abandoned project, the members of the community did not seem satisfied with the level of work. They were visibly not engaged in either the decision as to what project to be sited in their community or the construction of these projects. Some of the complaints were that labour was sourced from outside their community thereby depriving the youths of employment opportunities.<sup>371</sup> In most of these communities in the state it was reported that unemployment rate is at its highest and this has resulted in threat to the peace and escalation of crime in the region.<sup>372</sup> Although much will depend on other factors and government policies in place, the proper implementation of these projects while taking into account the needs of communities could go a long way to reducing some of these social problems in the society.

---

<sup>370</sup> BudgetTracka Report 180.

<sup>371</sup> BudgetTracka Report p. 182.

<sup>372</sup> Economic effect of Unemployment in the Nigerian Economy: A study of Enugu State. [www.successproject.com.ng](http://www.successproject.com.ng).

#### 4.5.5 South South – Delta State

Situated in the Southern part of Nigeria also known as the Niger Delta region, Delta State is one of the 9 oil producing states that sustains the Nigerian economy and accounts for about 80% of the federal government annual revenue.<sup>373</sup> A total of 64 projects were tracked in various stages of completion as follows.

**Fig 4.13 Status of CDF Projects in Delta State**



**Fig 4.14 Sample of CDF Project in Delta State**



Source: Tracka Report 2017

Among these projects was the construction of youth Skills Acquisition Center at the cost of N110 million in Kwale Ndowa West LGA and the construction of a Comprehensive Health Care Center at Eruwharen community at the cost of N60 million. It was reported that the Youth Skills Acquisition Center was only started after Tracka officials in a sensitisation visit encouraged residents to write to their representative in the National Assembly. The residents are so far reported to be satisfied with this project as it will encourage the youths to acquire skills that would enable them to earn a living. With regards to the Health Center, the project was abandoned despite the indigenes engaging with the representative to demand for the

<sup>373</sup> P.O Oviasuyi, Jim Uwadiae, The Dilemma of Niger-Delta Region as Oil Producing States in Nigeria, Journal of Peace Conflict and Development, Issue 16, Nov 2010 p. 111, [www.peacestudiesjournal.org.uk](http://www.peacestudiesjournal.org.uk).

construction of the project. Residents were reported to be unhappy about the situation as they have suffered immensely due to unavailability of a health care facility in their community.<sup>374</sup> Other projects undertaken in the state were the provision of educational facilities, potable water and rural electrification at various cost.

#### 4.5.6 South West- Lagos State

Lagos State is located in the Western part of the country and one of the smallest states in Nigeria. However, it is the economic hub of the country and the most populated city in Nigeria. A total of 57 projects were tracked in the state with their status presented below.

**Fig 4.15 Status of Projects in Lagos State**



**Fig 4.16 Sample of Projects in Lagos State**



Source: Tracka Report 2017

A range of projects were carried out in the state which included the supply and distribution of ICT equipment to 50 students in each of the 10 public schools in Surulere Federal Constituency at the cost of N100 million. Other projects were empowerment programmes through agricultural training and skills acquisition for women and youths at the cost of N40 million.

<sup>374</sup> BudgetTracka Report 136



Tracka report indicated that participants were given fish smoking equipment which they thought were donated by the representative from his personal resources.<sup>375</sup> Also worthy of note is the provision of transformers to 3 rural community in Shomolu at the cost of N19.5 million and some poverty alleviation materials for displaced people settled in the state. The supply of buses and cars were also tracked some of which were supplied and others abandoned. Residents complained that there was no communication between them and their constituents with regards to most of these projects. Those who benefited from the vehicles were mainly political loyalists. On the whole, the level of abandoned projects and those not implemented goes to show how residents have been short changed by their representatives.

The report so far gives a glimpse of how the CDF is being implemented in Nigeria. It shows that representatives are not faring well in the use of this programme as a tool of representation. They are not being responsive to constituents' interests and preferences in most cases. The implementation of the CDF policy provides a practical means by which their representative capacities can be measured and be seen. Instead of a duty towards constituents, what is seen is that representative activities are based on personal exchanges. Representatives have been described as engaging in non-binding activities most of which constituents do not understand. They convey the image that they are hard at work for the interests of the constituents.<sup>376</sup> While in many respects the political attitude and opinion of representatives hardly reflect the attitudes and opinions of those they represent. They tend to mostly prefer activities that the constituents would perceive as representing regardless of the substantial effect it has on the constituents.<sup>377</sup> Their aim has been to divert attention from the relevant site of their representation which should be in their constituency. Therefore, the importance of examining the representative abilities of members by focusing on their activities in their constituency cannot be overstressed. Its value lies in the fact that it could serve as a conduit through which constituents can learn about the behaviour of their representatives and how they are able to carry out the functions of representation.

The manifestation of disengagement that can be seen in people's political behaviour and attitude could arguably be said to be the reason why there is an increase in political theorists taking up the normative question concerning the quality of political representation. All of this

---

<sup>375</sup> BudgetTracka Report 149.

<sup>376</sup> Janet M Box-Stefaensmeier, David C Kimball, Scott R Meinke & Katherine Tate, The Effect of Political representation on the Electoral Advantages of House Incumbents, *Political Research quarterly*, Vol 56, No 3 (September 2003 259-270 at 260).

<sup>377</sup> Mayhew David, *Congress: The Electoral Connection*, New Heaven CT Yale University Press (1974) 84.



is in a bid to distinguish between instances where citizens ‘feel represented’ from instances where they are ‘actually represented’. Richard Fenno’s seminal work on legislators and their constituency provide a useful framework to understand distinctive ‘home styles’. This has to do with the effective ways that representatives engage in constituency work. The whole essence is to ensure that high priority is placed on constituency service. In order to achieve this, a representational relationship needs to exist between the representatives and their constituents. Although in Nigeria this relationship has been found to exist, it needs to be pointed out that it has never been an equal relationship. The constituents have generally been spoken to rather than spoken with. This may be the reason why some writers have come to the conclusion that, in relating with constituents’ legislators merely patronise them.<sup>378</sup> It is pertinent to say that, representatives need the connection with constituents in order to represent them better. They can only act in line with their interests and preferences and get their recognition and positive evaluation if this connection exist. This positive evaluation has been argued to pay off for the members on Election Day,<sup>379</sup> but most importantly it would help promote better targeting of projects to the needs of constituents in the case of the CDF implementation.

Thus, a key element that enhances effective representation is citizen participation. The implementers of the Kenyan CDF principally governed by the CDF Act 2003 understand this fact. This is why committee members in charge of projects are drawn from communities and are appointed by the MPs on a 3-year renewable term.<sup>380</sup> This participatory approach is seen as an effective strategy for delivery of services to the people in resource development and mobilization. It is a paradigm shift from the top down approach to one where development agents as beneficiaries are at the same level in decision making concerning development. It shifts more decision-making responsibilities to the intended beneficiaries to plan and take active part in the implementation of their development initiatives. It also enables constituents to be more certain of the welfare contribution of representatives when they are involved in the decision making and they can infer ability to represent from these activities or constituency service.<sup>381</sup>

In identifying the CDF programme as a policy tool for the decentralization of development there are certain things that needs to be borne in mind. First, the awareness that it is a politically

---

<sup>378</sup> Coleman (n 13)1.

<sup>379</sup> Janet et al, *The Effects of Political Representation on the Electoral advantage of House Incumbents*, (2003) 263.

<sup>380</sup> Mwenza, (n 287) 2.

<sup>381</sup> Phillip Keefer and Stuti Khemani, *When do Legislators Pass on Pork, the determinant of Legislator Utilization of the Constituency Development Fund in India*, policy Research Working Paper (May 2009) 12.

driven development initiative and that its importance in constituency-based politics in Africa to enhance the supply and demand for constituency service is key. While viewing the initiative alongside the national strategy for development, its main goal seems to be to nurture the integration of diverse communities into a common set of social values in support of the existing system.<sup>382</sup> For this to happen, there is no doubt that there has to be strong MP involvement and leadership. However, as representatives of the constituency, the role they play in facilitating constituent's participation in making claims upon government services is fundamental to how efficient and honest they are able to use the CDF in representing their constituents.

Invariably, the unobserved variation about how legislators deliver goods to their constituents and how constituents are allowed to make input in decisions affects the extent to which they are able to represent them. The argument here is that, in the implementation of the CDF, the basis for a successful representational relationship is needed and this can only be achieved when there is participation of constituents in the decision-making process. When this is achieved, the representative activities would be in line with the constituent's interests. The people will feel that their inputs are taken into consideration and that their representatives are listening to them. Constituents may not expect them to deliver miracles rather what is expected is for them to listen and show that they have listened. How constituents' preference is being articulated and gauged will go a long way in determining how the representative can better represent their interests.

#### **4.6 Considering Constituency Preference**

As earlier mentioned, constituency preference is an implicit component of representation, and is connected with the discussion on representation. Representatives at the time of election, appeal to the electorate in terms of their commitment to serve their interests. This brings to the fore the saliency of their legislative actions to ensure that it is in tandem with those interest. The quality and degree of those actions ought to be scrutinised to see how it aligns to the preferences of citizens and bring benefits to them.

The expression of policy preference by the constituents is reduced to mere endorsements with the constituents playing no active role in either the selection or the implementation of public policies. This has been argued to be due to their inability to articulate their demands and has

---

<sup>382</sup> Baskin (n 322) 4.

resulted in their failure to hold representatives accountable.<sup>383</sup> However, where a connection exists, it gives citizens a better sense of the processes of representation and legislators' responsiveness can be compared with constituents' preferences. Political theorists have alluded to the fact that, representation was thought to be 'voicing' the electorate's general will.<sup>384</sup> Manin expressed it in a more nuanced but basically similar idea when he emphasized that the quality of democratic representation hinges on the desire for representatives to be re-elected, giving them an incentive to represent the interests of the voters.<sup>385</sup> Urbinati recently made a strong case that representation should be understood as continuous, not dualistic and sovereignty as including judgment, not only arbitrary will. She stressed the view that in representation, persons have 'presence through voice', exercising political judgment in the public sphere.<sup>386</sup> These views expressed connotes that, representation aims to mediate public judgment and reasoning as it arises among persons engaging in horizontal dialogue within the electorate and vertical dialogue between the electorate and its representatives.<sup>387</sup> Therefore, the means by which representation comes to exist is in the performance of representatives acting on behalf of constituents. Agreements are reached when expressed preferences of constituents changes the moral situation so that those preferences becomes an obligation to the representatives.

The individual becoming a representative, expressly or tacitly, assumes an obligation to abide by majority agreements.<sup>388</sup> In that wise, representation expresses a potentiality for the citizens to act; this they are able to do through their preferences expressed to their representatives whom they have empowered to act on their behalf and whom they expect to take such preferences into consideration in acting on their behalf.<sup>389</sup> Thus, representatives acting as some kind of experts who have no reason to listen to their lay audience have been criticised as an anti-democratic sentiment.<sup>390</sup> There is no doubt that they might have the ability to reason independently, but as Kant argues, they are equally fallible and cannot do without or substitute for a reasoning public.<sup>391</sup> The reasoning about norms presupposes the ability to judge what a

---

<sup>383</sup> Vincent Della Sala, *Parliament and Citizens in Italy: A Distant Relationship*, *Parliament and Citizen in Western Europe*, edited by Philip Norton, Frank Kass, London Portland vol 3 (2002) 84.

<sup>384</sup> Joseph Schumpeter, *Capitalism, Socialism and Democracy* New York, Hapers (1947) 253, 269.

<sup>385</sup> Manin (n 44) pp. 177-178.

<sup>386</sup> Urbinati Nadia, *Representative Democracy: Principles and Genealogy* Chicago: Chicago University Press (2006) 5.

<sup>387</sup> Reidar Maliks, *Acting Through Others: Kant and the Exercise View of Representation*, *Harvard University, Public Reason* 1(1) 9-26 2009 pp 11.

<sup>388</sup> *Ibid* 14.

<sup>389</sup> *Ibid* 15.

<sup>390</sup> Ciaran Cronin, *Kant's Politics of Enlightenment*, *In Journal of the History of Philosophy* 41(1), (2003) 64.

<sup>391</sup> *Ibid* (n 387) 17.

community could deem acceptable, requiring an understanding of the will of all persons concerned. It follows that proposed policies must not just be general but also justifiable to those subject to them and this requires, in Kant's view, communication between citizens and rulers.<sup>392</sup>

Thus, methods of aggregating constituents' preferences in decision making must be accepted. Such methods must reflect in most instances the ideal preferences of the constituents arrived at by an agreed social decision function that makes it fair. A social decision rule that could translate determinate individual choices into indeterminate group preferences is what is needed for this to happen. This takes into consideration the interests of the generality of constituents in the district rather than a subset of it. Constituents' preferences in broad terms which still recognises that individual member's ideal preferences have some weight in all conceivable circumstances in the overall decision-making process is what is considered. Therefore, in saying that a person represents a constituency district, it implicitly means that every member of that constituency is being represented and their ideal preferences counts.

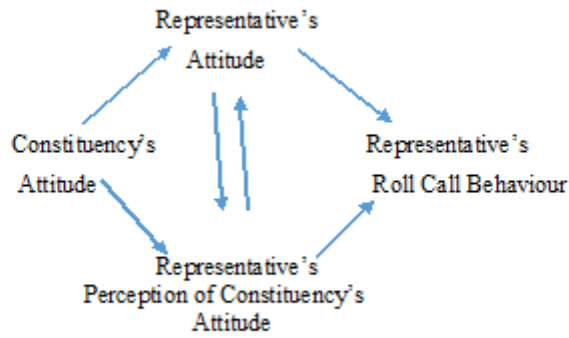
According to Rogowski, societies where members agree on social decision function to arrive at the general preference, which also has the attributes of equality of information is best represented by itself or with strictly instructed delegates as representatives. These delegates decide in exactly the way prescribed by the social decision function.<sup>393</sup> By this submission, it can be said that theorists have alluded to the fact that using the delegate model, constituents can control representatives. This is reinforced by the model of Miller-Stoke which assumes an influence of constituencies on deputies. They argue that constituents are said to control the actions of representatives by choosing candidates who so share their views that, in following their own convictions they act in the constituents will, or by representatives following what they perceive to be the district attitude in order to win a re-election, they are being controlled in some way by the constituents.<sup>394</sup> This idea was succinctly developed in their famous triangle which provides a model that shows the connection between district attitude and the representative role call behaviour where the constituents tend to control in some way the actions of their representatives.

---

<sup>392</sup> Malik (n 387) 17.

<sup>393</sup> Rogowski, Representation in Political Theory and Law, (n 65) 401.

<sup>394</sup> Miller & Stokes (n 107) 50.



**Fig 4.17 Miller and Stokes connection between a constituency's attitude and representatives roll call behaviour**

The triangle shows that the representative's vote is according to what he thinks the district wants because he believes that his opinion is the same as that of the district. This is shown by the arrows connecting the two intervening factors which are the representative's attitude and the constituency attitude. They however report that the results of their analysis are different for different policy domains. In the domain of foreign policy there is hardly a correlation between the roll call behaviour of the deputies and their constituency opinion. This is different with regards to social welfare and civil rights where they found substantial correlation. It needs to be noted that while, the triangle shows some kind of connection between the constituency views and the representative's votes in the House, it fails to show whether the votes were influenced by the constituents' preferences or how much control the constituents may or may not have over the actions of the representatives. This made them come to the conclusion that it would be wrong to choose just one model of representation. It also goes to show that relying on roll call votes alone which has been the practice to measure representation<sup>395</sup> may not be sufficient as it misses a wide range of activities that are done by the representatives outside the parliament. If one is to consider peculiar matters that affect citizens directly, it may indicate a relative rather than an absolute reliance on this. It has also been found that, knowing the policy orientation of a district gives no clue to what the member's actions would be.<sup>396</sup> Hence a distinction must be made with regards to such matters. Representatives can follow their perception of what they think the constituents want, but in such cases, the representative will be in luck if they are able to match constituent's preference in such instances. For more accurate matches constituents ought to make their positions known for the representative to implement and put into action.

<sup>395</sup> Canes-Wrone, Brady and Cogan 2002; Achen 1978; Bartels 2002; Griffin and Newman 2005; Griffin and Newman 2007.

<sup>396</sup> Miller & Stokes (n 107) 49.

Thus, in assessing representational relationship, the neglected interconnection between the actions of the representatives and how they can achieve representation can be corrected by focusing on the relationship between them and their constituents considering the requirement of deliberation between both parties and not merely acting on what is perceived. Good representation as Dovi argued, can be achieved when constituents are able to make their input and not the representatives acting on their perception of what they think the constituents want.

Looking at this from the perspective of the CDF, this policy is designed to respond to constituent's needs irrespective of political party affiliation. Its success depends heavily on their relationship with the legislators. Project selection and implementation are meant to be based on the needs of the people who are meant to be given the opportunity to communicate their diverse developmental needs to the Legislator for implementation. The way responsiveness can be achieved is through inclusion of public forum and the discussion with the people about their community development needs. This way their input in project selection and implementation is included. Situations as seen above where legislators select and implement projects to the exclusion of the constituents in effect goes contrary to the intent of the CDF.

Also, if we consider the importance of citizen participation in any democratic process, then theoretically, the CDF could be seen as a tangible development outcome which enhances the implementation of projects by enabling the community to identify those projects that are of priority to them. But the concern especially from the perspective of the constituents is that, this has not been the case. The CDF policy has continuously raised questions of efficacy of government service delivery and the extent to which such service delivery can be made accountable. Legislators have been criticised for their non-involvement of constituents and the manner of selecting projects to implement in each community has also been a problem. Occasionally, in trying to implement the CDF policies, situations have been found where the members hold town hall meetings to get constituent's views.<sup>397</sup> Interestingly, many of these meetings do not take place in constituency districts but in the cities. As such, the result is often that they may not get the right persons who may be directly affected by their decisions to make their input about how these projects are implemented.

---

<sup>397</sup> This a meeting where the Legislators interact with their constituents to know their problems and get their views on issues especially those that concern their welfare.

Although in very few communities there has been evidence of some consultation and involvement of citizens in the identification of development priorities, their percentage is negligible when compared to the overall results. A majority of the constituencies cite low involvement of constituents in the identification and selection of these projects as they are mainly dominated by the legislators and thereby falling short of the expectation of constituents. An empirical analysis of the use of the CDF is done with interviews from the representatives and the constituents to get their views on the implementation of the policy. The findings in the next section demonstrate the extent to which this policy tool has been used as an effective tool of representation.

#### **4.7 An Empirical Study of the CDF as Tool of Representation.**

To extend what we know of representation, the legislators' activities while implementing the CDF is tested to see the extent to which the policy is used as a tool to represent constituents. The legislator actions coupled with a wide range of perceptions and attitudes of both the representatives and the constituents are gathered to get information about the effectiveness of this policy in meeting constituent's interests and the overall constituency needs. Interviews were conducted with a sample of 10 legislators and 20 constituents that cuts across various constituency districts.

A major problem in conducting these interviews was that the participants were suspicious of the political purpose for which the results might be used. Despite the assurances that the interviews were exclusively for the advancement of academic knowledge, the politicians especially were very sceptical. As a result of their scepticism, there was high rate of refusal among the legislators to participate in this project. Several legislators had to be approached by the author before the sample of 10 members was achieved. The constituents on their part were a bit more willing but those considered in this sample, are those that share the same characteristics e.g. people who voted in the last elections and had played active role in politics in their community. By so doing, some dominant electoral elements of the districts were chosen so their opinion can be compared with those of their representatives.

Due to the small sample size, the findings that follow are merely indicative and can be said to be tentative. However, the significance is that the information in this research has been obtained directly from both legislators and constituents. Both views have never been compared to gauge the nature and extent of representation that members can achieve using the CDF. Though, the

research and analysis are restricted to this policy area alone, it can be useful in clarifying the concepts of power and influence that exists between politicians and those they represent and this can be applied to other policy areas. The research will also be able to show who gives direction in the relationship that exists between the representatives and their constituents and how this tends to affect representation.

In getting the views of the constituents, one is mindful of the fact that, the broad conception of how a government should go in achieving social and economic welfare objectives usually guide them in their response to particular questions about the actions legislators might take. This is fair because representatives themselves also respond to many issues in terms of fairly broad evaluative dimensions.<sup>398</sup> This general position seems to orientate their actions on social welfare issues like the CDF. Therefore, it follows that such general evaluative dimensions should be used in comparing the views and perception of both parties.

The necessity of specifying the activities of the representative as what will account for representation, assess their acts based on how projects are selected and implemented coupled with the attitudes of both parties revealed during the confidential interviews. By comparing the views of the representative and the constituents on the same issue, we are able to assess whether there was agreement as to the projects to be sited in the district by both parties. A situation where the constituents do not like the project in their community and do not think that it might be beneficial to them would be an indication that they may not have been consulted. This raises a question of how representation may be achieved. Also, it enables us to see the kind of relationship that exists between the representatives and the constituents. A situation where constituents were not asked to contribute to the decisions made with regards to the particular projects for their community will give two varying sets of measurement. It would mean that they would not be arriving at a congruence. It would also be an indication that there is no relationship and again raise a question as to how representation can be achieved. On the whole, where there is no agreement, we are able to see other variables that may have acted as a disincentive for representation to be achieved. This gives a basic model of the policy process and how representatives can be responsive to constituents in a particular policy area and the empirical reasons given are meant to justify the measure of representation.

---

<sup>398</sup> Miller & Stokes (n 82) 47.



#### *4.7.1 Summary of Responses and Findings*

The starting point of a casual analysis of the representatives' activity in their various constituencies and how it reflects constituency interests is the perception of the representatives themselves. Their activities outside the parliament which relates to their opinion about their main focus of representation, connecting with their constituents through personal means, listening to what they have to say and informing them about political matters all have an impact on how they can represent constituent's interests. Although, some representatives have alluded to the fact that relating with constituents through small town hall meetings is simply too difficult. Other personal means of relating with constituents have been considered to be a folksy way as against the more sophisticated way of using mass communication or impersonal means such as letters and mails through the internet etc.<sup>399</sup> In a developing nation like Nigeria where most of the constituents especially those in the rural communities cannot be reached through these more sophisticated means, one cannot rule out the fact that through direct interaction the careful decisions that are made by the representatives are more likely to reach the constituents than the impersonal driven styles that may be convenient in other policy areas that do not directly affect constituents. It is sufficient to translate how they go about this to be representative activity, as it provides a credible indicator of how they represent. In other words, directly interacting with constituents is an important way that representatives can effectively represent their constituents' interests.

The analysis here gives an insight to the type of representation legislators provide and reveals a more complicated reality which is, legislators tend to conform to formal expectations of the constituents and behave in a stereotypical way when dealing with constituents. Combined with the evidence from the interview, it was found that the expectation of the constituents and the perception of the representatives themselves determine the way representation occurs. The question below was put before the respondents:

---

<sup>399</sup> Justin Ryan Grimmer, *Representational Style: The Central role of Communication in Representation*, doctoral dissertation, Harvard University Cambridge, Massachusetts (May 2010) 34.

**Q** *In your opinion what do you think should be the focus of representation:(a) the nation (b) An Organised Interest Group (c) Political Party (d) Specified Electoral Constituency*

**Table 4.3 Primary focus of representation: Legislators and Constituents view**

<b>Focus of Representation</b>	<b>Legislators Opinion</b>		<b>Constituents Opinion</b>	
The Nation	2	20%	1	5%
Organised Interest Group	0	0	0	0
Political Party	1	10%	7	35%
Specified Electoral Constituency	7	70%	12	60%
<b>Total</b>	<b>10</b>	<b>100%</b>	<b>20</b>	<b>100%</b>

From the point of view of the representatives, majority of the respondents 7 out of the 10 identified the constituency as their focus of representation. Only 2 identified the nation as their focus of representation and one thought that he represents the interest of the political party under whose banner he represents. None of the respondent thought that they were there to represent an interest group. This reveals the strong affiliation members tend to have towards their constituency. Being mainly drawn from single member constituency, it is not surprising that the members would identify with those who gave them the mandate. This perhaps also indicates a strategy whereby members in trying to secure future prospects for election associate themselves with those who would give them the mandate. This conclusion is reached because this strong affiliation does not translate to a strong physical relationship between both parties as the actual relationship between them is still seen to be distant. It also goes to emphasise the weakness of political parties because although the parties play a huge role in determining who becomes a legislator, once in office, their party seems to have less influence on what they do.

When compared with the views of the constituents on the same question, variations were seen in terms of more constituents especially those who are active party members expressing the views that representation should focus on the party. However, majority 16 out of the 20 constituents still think that the focus of representation should be the specified constituency that gave the member mandate. An obvious observation from the responses is the facts that, in Nigeria, organised interest group play little or no role in linking citizens and their representatives as their activities in this regard are mainly underdeveloped.

#### 4.7.1.1 *Linkage with Constituents*

As stressed earlier, case work like the CDF provides an important channel of communication between the representatives and the represented and this impacts on how representatives are able to represent the interests of constituents. The processes and mechanism by which this communication is established and maintained and the perception of their linkage roles determines to a large extent how they perform when acting on behalf of constituents.

To examine the point of contact and the transmission of information between the legislators and their constituents, they were asked how they maintained contact with their constituents. Table 3 outlines the response of both the representatives and the constituents. One thing that was obvious was the fact that, most of the members had no constituency office, two thirds of the members interviewed fell in this category (no = 7 out of 10). Few ran constituency offices and maintained staff that would man these offices to facilitate contact on their behalf with their constituents (no = 2) and this was clearly done on a regular basis of at least once in a week while some claimed that they met with constituents at least fortnightly. NG 4, one of the two members with a constituency office, gave the information that even on regular days when the House had plenary, he retired to his constituency office after the plenary session and closed for the day at his constituency office. What is clear is that, most of the meetings that members have with constituents are rather informal with no prior appointments and these meetings usually happen where ever it was possible. This ranges from the parliamentary office itself to their constituency office if they have one or even the member's homes. Other means of contact are made possible during town hall meetings at the instance of the member, but these were rarely the case. When asked how information is passed across both parties, direct meetings were seen to be the most useful method and this could be anywhere. A third of the constituents (no 7) said they had visited their MP in their offices in the parliament on receiving information of an informal meeting. None of the participants said they had seen or received a letter or leaflet from their representative. A quarter said that they have seen their representatives on the television.

*Q. How is contact maintained between the representatives and the constituents?*

**Table 4.4 How members and constituents maintain contact.**

<b>Place of Contact</b>	<b>Legislator's View</b>	<b>Constituents' View</b>
Constituency Office	2	1
Office in Parliament	6	7
Members Home	5	3
Town Hall Meeting	4	15
Other Places	0	2

There seems to be an overlap from the responses of the constituents here, It was found that, the same persons seemed to be active in meeting with the representatives in different places and this shows the variation in the numbers. However, from the small sample of 20 constituents it can be said that there exists some kind of contact between both parties. The interviews also reveal that most of these contacts were at the instance of the constituents and not the representatives. When asked about the frequency of issues that were brought before the members, it was found that, significantly, issues relating to personal welfare featured prominently with support for employment and financial assistance being recorded as the most frequent. This is in line with the findings that most of the issues brought to the attention of MPs are actually outside their immediate policy domain and also goes to show that most constituents appeared not to have high expectations of their representatives. They merely see them as local promoters and powerful and influential people in the society who they can use to get things done in government bureaucratic circles.<sup>400</sup>

In assessing the significant disconnection and the widely held negative perception of the members, the constituents blamed it mainly on the lack of visibility of the members. Many of the respondents use the words remoteness or distance to explain why they are disconnected from their members. On the whole only 3 out of the 20 participants felt they were well connected with their members. Some of the views of the constituents are presented as follows:

*“They keep their distance, they only come to us when they want our votes once they get it they forget us and only come back after four years”*

*“where did we see them? After the election I have not set my eyes on my representative in this village again, they do not care about us, the only thing they care about is the office.”*

The aggregate response of constituents in this regard is shown below.

**Q. How connected are you to your representative?**

**Table 4.5 Showing constituents connection with their representatives**

Well connected	3
Averagely connected	2
Low Connection	13
Don't Know	2

<sup>400</sup> David Judge and Gabriella Ilonszki, Constituency Linkage in the Hungarian Parliament, Legislative Studies Quaterly Vol 20 No 2 (May 1995) pp 161-176 at 172

What this confirms is that having contact with representatives with regards to public issue have a way of making the constituents feel they are somewhat connected to their representatives and the representatives are representing their interests. The correlation between this form of contact and connectedness also goes to show that confidence in the representative activity of the members tends to increase when people are consulted and their views heard before important decisions that affect them are made.

Constituents want to be represented by a person that they can trust, a person who they see often and who is always open to their concerns and whose assurances they can trust.<sup>401</sup> This trust usually entails face to face contacts with constituents as this increases the chances of the member being liked or even recalled. The members sometimes seem to be engaged in a variety of meetings and social gathering that may be organised at the local level to increase their visibility. They take part in activities like inaugurating buildings, giving prizes at schools, cultural festivals etc. The fact remains that, when it comes to those issues that are of benefit to the constituents as a whole they may not be as open to them and invite them to make their input. This lack of connection between the representatives and the constituents has been cited as one of the causes of the decline in confidence in the political system.<sup>402</sup> This situation, coupled with the development of more individualistic, consumerist cultures which has eroded collective political identities,<sup>403</sup> all tend to make the people feel that they are not properly represented by the legislators.

#### **4.7.2** *Views on the use of CDF*

The central hope of the CDF is that projects would be targeted to meet the needs of particular constituency districts. This requires among other things, the legitimate connection between the members of parliament and their constituents, paying more attention to implementation and holding government officials responsible for results. This also means that, steps would be taken to eliminate opportunities of corruption and that attention would be focused on making the CDF a part of the effective development effort of government.

In trying to see the extent to which this policy tool can fulfil its mandate, there are certain principles and guidelines which are consistent with international standards that the policy and

---

<sup>401</sup> Lieven De Winter, Belgian MP: Between Omnipotent Parties and Disenchanted Citizens-Clients, Parliament and Citizens in Western Europe, Frank Cass London Portland Vol 3 (2002) 93.

<sup>402</sup> Coleman (n 13) 3.

<sup>403</sup> Ibid.

its operation must adhere to. These principles are meant to highlight the importance of transparent project selection and implementation in a manner that enables the citizens to work for the development of their community. It enables them to demand accountability through their regular oversights in order to get the type of development project that is most suitable in meeting their needs and promoting their community development. This means that the success of this policy is contingent upon an inclusive process of consultation which fosters cooperation among the MPs and their constituents. In other words, responsiveness of the members towards the constituent's preferences is salient in the achievement of this objective. Responsiveness can be achieved through public forum discussions about community development and soliciting input from all legitimate stakeholders by regularly including them in project selection and implementation.

Secondly, transparency is the fundamental principle of a democratic government. This refers to the administration of government that is open and publicly observable in a manner that it creates opportunity for citizens to participate. Apart from the fact that the CDF implementers are meant to consult constituents to ascertain their local development problems and the possible solutions to those problems, the flow of funds for the implementation of these projects must also be transparent and traceable. Information about the use of the CDF funds on projects must be made publicly available and documented according to financial principles. Also, the administration of the CDF must be done in an effective and transparent manner. Implementation strategies must be streamlined to proactively comply with the intent of the policy. Meaning, the allocations of projects must be done in a fair and equitable manner. The funds should be released on time and projects should be completed on time. This is coupled with the need for the structure of the administration to be clearly defined in such a way that each of the administrative bodies function with responsibility and commitment.

Finally, to improve the quality of projects and prevent corruption and the abuse of funds there should be some form of accountability and oversight. Procedures and legal regulations must be put in place to hold the implementers of the policy accountable. Monitoring by constituents to ensure that projects progress towards their goals, while also evaluating the impact of these projects on the constituency districts are all necessary elements for the success of the programme.

Having this as the background and turning to the explanatory factors, questions were posed to the members and the constituents on the operation of the CDF and they gave their views about

this policy. Both parties were asked if they had knowledge and information about the CDF and what it aims to achieve. All the legislators were able to give an overview of the CDF coupled with what it stands to achieve. On the part of the constituents, 14 out of the 20 (70%) respondents have heard of the CDF before, but more than half of those who responded in the affirmative 9 (45%) were not aware of its policy objectives. Most of the constituents were generally of the opinion that as legislators it is their duty to ensure that the constituency gets their share of the “national cake.”<sup>404</sup> They were not aware of the fact that special funds are allocated to each constituency for development projects. Others thought that the projects that they see the members caring out in their constituencies were due to their own benevolence for the community and as such coming from their personal funds. In the opinion of such people, “once they become members they become so empowered financially that they are in a position to do a lot for their constituents”.

Establishment of knowledge of the CDF among the constituents is one way of finding out whether the constituents made an input in the choice of projects. Where the attitude of the constituents is negative, it goes to show that the legislator has acted alone without consulting with the constituents. The negative attitude may also imply that the project is of little or no benefit to them. This invariably means that their expectations are not met, which suggests ineffectiveness and the lack of representation in this regard.

Table 2 indicates how the informants responded to the question about knowledge of CDF policy.

**Q. Do you have knowledge about the CDF and what it is meant for?**

**Table 4.6 Knowledge of CDF**

	<b>Legislators View</b>	<b>Constituents' View</b>
Completely aware of the Policy and objectives	20	-
Heard of it but don't know much	-	14
Don't Know/ No opinion	-	6

The interview results reveal that knowledge was a significant factor to how the CDF is implemented. The constituents lack knowledge as to what the CDF is meant for and what it

<sup>404</sup> This is a local way of referring to the dividends of government and its distribution.

ought to be doing. The members who are in a position to educate and inform their constituents of this policy initiative and its benefits fail to pass on this information thereby making majority of the constituents to be ignorant of the fact. Legislators generally are found to engage very little time in educating their constituents about their representative activities except during election. The findings therefore suggest that although the basis of a representational relationship does exist, there seems to be an alteration in the way it works. Greater attention needs to be paid to communicative dimension between the representatives and their constituents for them to be on the same page on policy issues. Representation needs to be thought of as empowering people directly rather than investing power in politicians who represent the people.<sup>405</sup>

When asked about the participation of constituents in the decision-making process of the CDF, the two sides tend to share an understanding of the importance of citizen participation. In reality however, the system ignores the fact that the best way of ensuring and preserving the representative framework in the implementation of this policy is through allowing the constituents input in the decision-making process. This conclusion is reached because it was found that in most of the cases the constituents were not consulted before projects were sited in their constituency. Even those members that had regular meetings with their constituents did not inform them or get their views before these projects were allocated. The table below provides the response from constituents.

*Q Have you ever participated in a meeting where the CDF projects were discussed?*

**Table 4.7 Constituents participation in Project decision**

Always	0	0%
Sometimes	0	0%
Never	20	100%

On the level of their satisfaction about how they are being represented their attitudes appeared to be more of dissatisfaction. The question below was put to the respondents.

---

<sup>405</sup> Coleman (n 13) 8



*Q Government has provided funds for development projects in the constituencies, overall are you satisfied or dissatisfied with the job your legislator is doing in your constituency?*

**Table 4.8 Evaluation of Legislator’s work in their constituency.**

	<b>Constituents View</b>	
Very satisfied	0	0%
Fairly satisfied	2	10%
Fairly dissatisfied	3	15%
Very dissatisfied	12	60%
Don’t know	3	15%

It is notable that most of the constituents thought that the legislators were not doing a good job. They felt that if the CDF was meant to be a response from government, the legislators have failed in the delivery and the implementation. They fail to see how these projects have come to change their lives. In part, it can be argued that, this is as a result of the disillusionment resulting from the knowledge that the funds were for their own benefit and not just out of the good will of the representatives. It can also be attributed to the low level of trust that the constituents have in their representatives and the general opinion of corruption that is always attributed to politicians.

A further examination of the point of contact and the transmission of information between the representatives and the constituents shows that, although there are outlets for the constituents to make their views heard, these views were not articulated in a way that shaped the decision-making process with regards to the projects to be implemented in their various constituencies. This makes it easier for factions to exploit the procedures on behalf of sectional interests, which may not be of benefit to the generality of the constituents. This may also have been possible because the prevailing political system is such that it is difficult to hold representatives accountable for their actions.

In general, the respondents tend to distrust the process of representation itself as they feel that their interests are not taken into consideration and in their opinion, the CDF policy as it is implemented has failed to produce better outcomes. What this suggests is that greater attention needs to be placed on the interaction and communication dimension of representation. Citizens are demanding a less distant relationship with their representatives as such; new means of two-way communication needs to be established. In terms of performance of the CDF, a lot is still left to be seen. There are very few records in Nigeria and none has shown that the policy initiative is meeting its targets. So far, the identified projects have not been assessed in terms

of their impact on the overall interests of the community. In terms of poverty reduction, records show that it supported few groups mainly youths and women with equipment to start up small businesses. However, this help does not cut across and only a small group benefited from it, so its aim of promoting equitable development and alleviating poverty at the constituency level cannot be said to have been achieved. For instance, the CDF bursary meant for students is said to be frequently abused by giving to students who are not deserving of it. These bursaries tend to be given to relatives of the legislators and there is lack of public awareness in the community for them to take part. Critics continue to question the actual intention of the CDF policy arguing that some of these hand-outs are a source of social discord as it encourages dependency and undermines the importance of self-help or unpaid community service as a long term for community development. These shortcomings make the constituents come to the conclusion that the legislators do not use the CDF to represent them as they do not see the benefits of the programme.

#### **4.8 Analysis**

Since independence, a major concern in Nigeria has been the inability of the central and local government to provide quality services capable of driving equitable developments in the local communities. The strategy of using the CDF to meet this need is without question a laudable move on the part of the government. This was intended to provide a visible mechanism of delivering social projects towards poverty alleviation and infrastructural development at the local level. However, it has raised concerns as to whether legislators can act as development financiers. As a Ugandan representative puts it:

*that money should be sent to districts and be managed at local government level. Why should government give MPs money? It is obvious that the money will always be misused. MPs should be overseers of the various projects that are run and managed by the local government. Development is a national issue that should be planned and pursued with clear direction not this business of dishing out money to individuals in the name of the CDF. Even if you gave Shs 10 billion to each MP, no development will take up in their respective constituencies.*<sup>406</sup>

Critics have argued that the key function of the legislators is to make laws, scrutinise government policies and administration, contend with budgetary issues, debate major issues and ensure that the executives remain accountable, but their implementation of the CDF

---

<sup>406</sup> Nandal Mafabi MP for Budairi West Sironko District, Uganda. From Constituency Development Fund in Tanzania: the right solution? pp 14, [www.policyforum-tz.org/constituencyDevelopmentFund/pdf](http://www.policyforum-tz.org/constituencyDevelopmentFund/pdf).

undermines these functions.<sup>407</sup> They are of the opinion that, the CDF should be implemented in a way that does not involve legislators playing a central role but allows government agencies and the Local government authority to implement it. Legislators as representatives can then, in the ordinary course of their oversight function scrutinise it to ensure that it meets the objectives of its policy.

Other factors may also be working against the CDF. This includes the reality of conducting constituency work in a developing country like Nigeria which poses its own challenges. Given the 'patron-client' nature of politics that is prevalent in the country that encourages expectations of direct form of help from the representatives, constituency work is predominantly being overwhelmed with individual calls for assistance. The legislators are regarded as providers of financial assistance such as paying of house rent, providing school fees or assisting someone with funeral expenses. These activities leave the representative little time and resources to engage with constituency work and address the general needs of the community. Since these funds are sourced from budgetary allocations, it is also considered to be a misuse of funds when they are put to solve individual problems rather than meeting the needs of the people.

Lack of public access to information has also been identified as a major problem of the CDF.<sup>408</sup> The implementation of this policy appears to be shrouded in secrecy and this has resulted in a cry from Non-Governmental Organisation (NGO) challenging the policy and requesting for an order to make public the allocations that are made to the legislators under the CDF.<sup>409</sup> Furthermore, there appears to be no clear principles for the allocation of these funds nor is there any acceptable template for the administration of the CDF. A clear direction as to how these funds might be used, decisions as to the kind of projects which these funds are to be invested on, the manner in which tenders are awarded, the type of oversight and the transparency required in the policy process, are all issues that are plaguing the implementation of this policy. Except for Lagos State, there is no legal framework either at the national or state level that seems to back the implementation of these projects.<sup>410</sup> The disbursements made so far have not

---

<sup>407</sup> Orinmogunje, Olusesan Olugbenga, Legislative Constituency Projects in Nigeria: A Matter of Constitutionality or Political Expediency? *Journal of Law, Policy and Globalisation* Vol 41 2015 p.187.

<sup>408</sup> Tshanana (n 324 2).

<sup>409</sup> Constituency Allowance Paid to Lawmakers, Premium Times Newspaper, (April 2015), [www.premiumtimesng.com](http://www.premiumtimesng.com) assessed March 2016.

<sup>410</sup> Lagos State Constituency Development Law 1999.

been measured to assess whether it is indeed effective in the allocation of infrastructural projects to meet the needs of constituencies.

Overall, there has been no proof that the CDF as a policy has been able to provide an equitable distribution of projects that reflect the priorities of local communities. Between 2004-2013, an estimated Nine Hundred Billion Naira (N900, 000,000) has been disbursed for CDF projects, making Nigeria one of the costliest in terms of allocations to constituency project funds.<sup>411</sup> Despite this fact, the CDF has failed to play a fundamentally distributive role that may be seen as more adequate than the disbursement or the implementation of development projects under the executive.

Criticisms against the programme range from corruption, selection of contractors based on nepotism, the misappropriation of these funds for the funding of non-priority projects, substandard or abandoned projects that tend to benefit the elites in the cities rather than the rural areas. These are all common features with the CDF which stems from the fact that there is lack of reporting, weak contract management and poor oversight. The practice where the legislators who are interested in the execution of particular constituency project are the same people that are called upon to perform supervisory role with respect to such project is bound to cause a conflict of interest.<sup>412</sup> The inability of the implementers to have a grasp of the aggregate cost of these projects and its impact on the national budget, coupled with the exclusion of the constituents whose interest should be taken into consideration are things that need to be addressed if the CDF policy is to achieve its policy objectives.

Most of the problems associated with the CDF are as a result of weak systems of redress due to weak institutions and the overall lack of political will. Despite all these manifest abuses in the system, there is yet to be a prosecution for corruption that may serve to deter other subsequent offenders. Without a proper legislative framework, avenues for redress and strong systems for accountability, decentralisation schemes like the CDF are more likely to bring about corruption to the locality than to achieve the gains of development.<sup>413</sup>

---

<sup>411</sup> N900 Billion on Constituency Project, Information from the Chairman Senate Committee on Millennium Development Goal, The Punch Newspaper Jan 2013.

<sup>412</sup> Albert Van Zyl, What is Wrong with the Constituency Development Fund, International Budget Partnership Budget Brief III no 10 p.4.

<sup>413</sup> Constituency Development Fund Scoping Paper January 2010, International Budget Partnership.

The question of what specific projects to be sited in a community and who the deserving recipients are and the extent to which these projects must go will all depend on the needs of individual community. But the equitable process for deciding what project to allocate funds to, is a challenge that needs to be addressed. Those factors that tend to motivate legislators to prioritise certain areas of their constituencies and not others or to site certain projects that are more relevant to one gender, males as against the females, are all important issues that need to be understood if the CDF is to be used as a veritable tool to tackle the infrastructural deficit in the local communities. This understanding is needed to avoid bad practices and propose recommendations that would help in the implementation of the policy and bring it in line with the preference of the constituents.

#### *4.8.1 Sustainability of the Policy*

There is no doubt that the CDF represents an imperfect piece of legislative activity that can be prone to corruption and abuse, yet it provides one of the most critical tools available for government to use to cure some of the problems facing Nigeria. Without the CDF, legislators may be unable to do anything that can directly aid their constituents. The programme serves as a quick fix to the development imbalance and cures the deprivation of most of the rural communities by providing them political succour with the particularised benefit that it brings to them. It forms a critical feature of the democratic system in Nigeria to enable legislators to better represent their constituents.

However, the efficiency and effectiveness of the policy lies in its implementation. A case for its continuous use must take into consideration the articulation of local demands. The challenge it faces in this regard is not to replace the existing service delivery from local or central government, rather it is to define a relationship with the local authorities and other government agencies in order to improve service delivery in the local communities.<sup>414</sup> It is important that an effective monitoring process be included in the policy implementation to ensure accountability. It is also necessary to devise norms, rules, procedure and template that would be adapted to the different projects that are being provided to enhance their effectiveness. This accountability regime also concerns how the procurement of goods and services will be monitored and the body that will be responsible for such monitoring. There needs to be some level of separation of powers between those that are meant to provide these goods and services

---

<sup>414</sup> Baskin (n 322)

and those that would monitor its implementation. The current system where the legislators oversee both monitoring and implementation leaves no room for adequate transparency in the programme. This lack of accountability has led to its criticism and made it popular with politicians who are interested in advancing their own interest rather than the interest of their constituents. The inclusion of a monitoring regime into the policy making process is what will in the long run account for a more transparent implementation of the policy and enable it to achieve its objectives and strengthen the responsiveness of government in meeting the real needs of the people.

In addition to having these effective monitoring in place, there is need to enforce the protective provisions put in place in the Procurement Act Laws of the Federation of Nigeria 2007. This is an Act that regulates the procurement of goods and services in Nigeria to promote accountability, transparency and openness in transactions<sup>415</sup> and any departure from the Act is criminalised.<sup>416</sup> The CDF can also take a cue from other jurisdictions to identify some good practices that can be transplanted to the jurisdiction to make its policy workable. Such practices as appointing committee members is a strategy that is being employed in other jurisdiction to ensure accountability.<sup>417</sup> Although there is little academic research in this field, coupled with the fact that the CDF is a relatively new phenomenon, with the earliest started about 1985 in Pakistan.<sup>418</sup> The need to identify principles of accountability that would contribute to a constructive framework for the procurement of goods and services in the implementation of CDF cannot be overstated. If implementers know that there are systems of accountability in place, this would go a long way in putting a check on their activities and to preserve the principles of the CDF policy in order for its objectives to be achieved.

#### **4.9 Conclusion**

This chapter has discussed the Constituency Development Fund as a tool that the representatives may use to represent constituents' interests. Though unmentioned in the constitution or any national law in Nigeria, the implementation of this policy has become an important part of the job of legislators in Nigeria. As an engine for representation, its importance derives from the fact that it serves as a policy tool that is aimed at decentralisation

---

<sup>415</sup> Section 16(1) Public Procurement Act 2007.

<sup>416</sup> Ibid Section 58.

<sup>417</sup> The CDF Social Audit Guide, A Hand Book for Communities, Open Society Initiative of East Africa. February 2008) [www.gsdrc.org](http://www.gsdrc.org) Accessed June 2016.)

<sup>418</sup> Herbart S, Working with Members of Parliament Constituency Fund, GSDRC Helpdesk Research Report 1094, Birmingham, UK GSDRC University of Birmingham (2014)

of government efforts towards development. This politically driven initiative if properly implemented has been shown to be an important form of constituency-based politics in Africa to deliver the gains of democracy to the people.<sup>419</sup> It has also been identified as a tool to enhance the functionality of the legislature as a representative institution.<sup>420</sup>

Unfortunately, the activities of the members and the way the policy is being implemented has raised a lot of doubts and criticism among constituents. The legislators have failed to include the input from constituents in the decision-making process. They have argued that, the expectations of constituents are difficult to meet. On the part of the citizens, it has become clear that they are highly interested in the goods that their representatives are able to deliver to them as that is what is visible to them, for which they can hold representatives accountable.<sup>421</sup> This however, seems illusionary as the lack of accountability and transparency is mainly due to the lack of proper monitoring of the implementation of the policy process. Corruption and the lack of accountability in the system has been a major hindrance which has led to the inability of the policy to achieve its objectives. This has also led to the high cost of implementing this programme without a commensurate amount of development projects seen on ground to justify the expenses. Politicians seem to have leveraged on the system and instead of using this policy as a tool of representation they use it as a means to enrich themselves.

Consequently, the idea of the case study is to show how the actions of the legislators influence the representation of their constituents. A salient point that has been made in the use of this case study is that, not taking into consideration the preferences of the constituents leads to the wrong conclusions and to the legislators representing in an improper manner that tends not to be in the interest of those they represent. Another valid point that was made in this chapter was that, for growth and development to be maintained the action of the legislators must be held up against certain standards. This is with the view to assess their performance and appreciate their strength and weaknesses in order to develop appropriate mechanism for their improvement. Since representing is the core function for which the legislators are assessed, then the standards they must meet cover the core areas which include participation of their constituents, accountability to them and taking their interests into consideration. If these core principles are not met it is unlikely that representatives can adequately represent the interests of those who elected them.

---

<sup>419</sup> [www.africanlegislaturesproject.org](http://www.africanlegislaturesproject.org).

<sup>420</sup> Yahaya T K B, Assessment of Democratic Trends in Nigeria, An Assessment of Legislative Input in Nigeria's Democratic Governance: (1999-2009).

<sup>421</sup> What do Citizens Expect from their Parliament, [www.ipu.org](http://www.ipu.org).





## CHAPTER FIVE

### REPRESENTATION AND CITIZEN PARTICIPATION

#### 5.1 Introduction

Citizen participation has been identified by political theorists as the corner stone of any democratic society.<sup>422</sup> There has been a growing literature on the relationship between citizen participation and political representation.<sup>423</sup> Both concepts are closely interrelated as they reinforce the concept of democracy which upholds citizen engagement in a political system. As a result of this, modern representative democracy has always been shot through with participatory elements.<sup>424</sup> This participation, it has been shown, cannot be restricted to conventional forms, such as voting or running for election alone. It also covers other less conventional types of political activities, such as protests, demonstrations, sit-ins, hunger strikes, boycotts etc.<sup>425</sup> Although, there has been no consensus about the goals and objective of citizen participation, due to the disagreements amongst theorists on how citizens should participate. Theorists tend to agree on the fact that participation of citizens in the decision-making process is crucial for the well-functioning of any representative democracy.<sup>426</sup>

Analytically, this chapter tries to advance understanding into the relationship between *representation* and *citizen participation*. It examines the link between these two phenomena, analysing the function of citizen participation and how it enhances the process of representation. It assesses the extent to which representatives employ methods that allow citizens to participate in the decision-making processes that affects them, considering the complex relationship that exists between both parties. It argues that, through citizen participation, the organising structures of representation are able to articulate the interests of citizens. Where these structures are such that citizens are only passive participants who are handed down decisions already made by the representatives, then there is no real representing. Citizen participation is seen as tantamount to an effective representative process and it is

---

<sup>422</sup> Nancy Robert, Public Deliberation in an Age of Direct Citizen Participation, *American Review of Public Administration* Vol 34 No 4 (2004) 315-353, 315.

<sup>423</sup> Verba Sidney and Nie Norman, *Participation in America: Political Democracy and Social Equality*, Chicago, The University of Chicago Press (1987); Benjamin Barber, *Strong Democracy*, Berkeley, CA, University of California Press (1984); Suzanne Dovi, *The Good Representative*, Wiley Blackwell (2012).

<sup>424</sup> Coleman (n 13) 1.

<sup>425</sup> Marco Martiniello, Political Participation, Mobilisation and Representation of Immigrants and their Offspring, *Willy Brandt Series of Working Paper in International Migration and Ethnic Relation* 1/05 (2005) 5.

<sup>426</sup> Dovi (n 3) 127.

recommended that the representatives in their implementation of policies like the CDF, should accommodate the expression of the constituents' preferences as this will enable better targeting of projects to the needs of the community.

## **5.2 Definition of Citizen Participation.**

Before going into the analysis, a definition of citizen participation is necessary. Rosenstone and Hansen offer a definition of participation in the political sense as 'an action directed explicitly toward influencing the distribution of social goods and values.'<sup>427</sup> By this they mean, participation will require a considerable degree of contact and communication between government officials or representatives with the citizens to ensure that decisions are geared towards problem solving in the communities. Arnstein also emphasises on the power of decision making as central to the concept of direct citizen participation.<sup>428</sup> This requires power sharing among the citizens and their representatives. It is not a form of control that enables those in authority to get citizens to do what they want them to do, rather, it is a form of shared power with the citizens as opposed to power over citizens.<sup>429</sup> Invariably, citizen participation in decision making is understood as the active dimension of citizenship in every given community. It refers to the various ways in which individuals take part in the management of the collective affairs of a given political community.

Given the importance of citizen participation in the decision-making process of a community, attention needs to be paid to how representatives engage citizens in this regard. There is no gainsaying that effective representation can be achieved when opportunities are created for citizens to participate in the decision making that affect them directly. In line with this thinking, when representatives engage with their constituents in a way that excites their contribution in decision making, then they can respond satisfactorily to their collective preferences and represent them better. Rosenston and Hansen concurring with this state that 'People participate in politics not so much for who they are but because of the political choices and incentives that are offered them.'<sup>430</sup>

---

<sup>427</sup>Rosenstone, Stephen J & John Mark Henson, *Mobilisation, Participation and Democracy in America*, New York Macmillan (1993) 4.

<sup>428</sup> Arnstein, Sherry R, A Ladder of Citizen Participation, *Journal of the American Institute of Planners* 35(3) 216-24 (1969) 220.

<sup>429</sup> Nancy Robert, *Public Deliberation in an Age of Direct Citizen Participation* (n 422) 320.

<sup>430</sup> Rosenstone, Stephen J & John Mark Henson (n 427) 50.

Thus, citizen participation - in the decisions that affect their lives - is an imperative of contemporary society. The beginning of the 20<sup>th</sup> century saw the expansion of demand for citizen participation in basic welfare and quality of life.<sup>431</sup> This is a shift from citizens' total reliance on public officials and administrators solely taking decisions and implementing policies on their behalf. However, this is not the case in all jurisdiction. In developing countries especially, it is observed that despite the wave of democratisation, the ability of the existing structure of representation to provide citizen influence over decisions that affect them, is on the decline. The World Bank, for example, has argued that, in most societies, democratic or not, citizens seek representation of their interests beyond the ballot as taxpayers and as users of public services and against the backdrop of this competing social demands, rising expectations and variable government performance, the expressions of voice and participation seem to be on the rise'.<sup>432</sup> These agitations are as a result of citizens becoming more suspicious of government and demanding direct control in the decisions that affects their lives. As Verba and Nie argue, if democracy is interpreted as the rule of the people, then the question of who participates in political decisions becomes the question of the nature of democracy in that society.<sup>433</sup>

The connotation here is that in a representative system how decisions on behalf of constituents should be made is a central issue. This issue has been widely debated by political theorists. Some believe that representatives should act on behalf of constituents without the constituents influencing or controlling them;<sup>434</sup> others are of the view that greater citizen involvement is what is needed to curb the abuse of representative systems.<sup>435</sup> The latter view suggests that the solution to the crisis of citizens' representation in modern democracies is *citizen participation*. Representatives are expected to make politics more inclusive by allowing citizens to participate and take part in decisions which concern them. It is also expected that representatives would be free from prejudices and bring about an ideal rational deliberation between them and the citizens they represent. Based on these expectations, the hope is that democracy could move on towards the deliberative ideal, allowing decision-making to be better informed, more transparent and more effective.

---

<sup>431</sup> Rosenstone, Stephen J & John Mark Henson (n 427) 322.

<sup>432</sup> World Bank, world Development Report, The State in a Changing World, Washington DC (1997) 113.

<sup>433</sup> Verba and Nie (n 132) 1.

<sup>434</sup> Joseph A Schumpeter, Capitalism, Socialism and Democracy, Routledge London and New York 1943.

<sup>435</sup> Benjamin Barber, Strong Democracy, Berkeley, CA, University of California Press (1984); Box R C, Citizen Governance Leading American Communities into the 21<sup>st</sup> Century Thousand Oaks, CA: Sage, 1998; Pateman 1970.

On a casual analysis, there seem to be avenues that are open for citizens to participate, but to a large extent, the system and the way society is ordered, discourages or prevents substantive citizen involvement.<sup>436</sup> This has led caused some persons in the society to be marginalised. According to Philip, when a society is ordered in a hierarchical fashion as most are, those who have been marginalised will seek to enhance their representation.<sup>437</sup> This they can do by demanding for better participation which includes information and deliberation that would enable them take part in the decision making that affects them. Thus, political participation affords citizens in a democracy an opportunity to communicate information to government officials about their concerns and preferences and to put pressure on them to respond.<sup>438</sup>

The above argument underscores why citizen participation is an important characteristic of any democratic society. Citizen participation in the political process is one of the main principle democracies are built on as it is the basic feature required for the proper functioning of any civil society. Citizens have the right to express their views and attitudes towards almost everything happening in the public sphere or concerning their own interests. They need to do this in a way that government officials know this and respond. The commonest way this can be done is through voluntary political participation of the citizens. They can influence government action by their activities either directly by affecting the making or implementation of public policy or indirectly by influencing the selection of people who make these policies.<sup>439</sup> This will cumulate into the creation of political communities that can transform dependent private individuals into free citizens and partial or private interests into public good.<sup>440</sup> They also tend to have the knowledge and ability to participate more fully in the political, technical and administrative decisions that affect them. They are able to demonstrate this capacity when given the chance and this makes them feel like democratic citizens and to also feel more represented.

Thus, the link between participation and representation becomes clear. Contemporary political theory challenges the actions of the representatives and assess them by how they can engage democratic citizens to participate in the course of representing them. Hall warns that the idea

---

<sup>436</sup> Roberts, *Public Deliberation in an Age of Direct Citizen Participation* (n 378) 317.

<sup>437</sup> Anne Philips, *Democracy and Difference*, Polity Press Cambridge (1993) 95.

<sup>438</sup> Verba and Nie, *Participation in America* (n 132) 1.

<sup>439</sup> Maria Eremenko, 'Political Participation: Model by Verba in the EU and Russia' National Research University – Higher School of Economics, (2014) 2 [www.culturaldiplomacy.org](http://www.culturaldiplomacy.org).

<sup>440</sup> Benjamin Barber, *Strong Democracy: Participatory Politic for a New Age*, Berkeley and Los Angeles, University of California Press (1984) 151.

of participation demands greater attention if we are to fully understand the phenomenon of representation.<sup>441</sup> This is because it helps to return focus on how a member's choice about activities shapes the representative relationship. In the course of their work, representatives make decisions and take actions that would require them to invite citizens to participate. They could either include citizens or discourage them. Their choice of activities becomes a focal point over public involvement and how the representative process can either be enhanced or hindered. The extent to which they can represent depends on how they can accommodate citizens actively in the decisions that they make on their behalf.

Therefore, the concept of citizen participation is no longer hypothetical, rather, it is real and depends mainly on the activities of the representatives. Research is also beginning to recognise a new kind of decision making which is not hierarchical but rather horizontal and involves citizens.<sup>442</sup> This has been proved to provide better representative outcome than in situations where representatives alone take on the responsibility of deciding what should be. The representatives in the course of representing constituents are involved in governance and as an activity, governance seeks to share power in decision making, encourage citizen autonomy and independence and provide a process of developing the common good through civil engagement.<sup>443</sup> This structure tend to provide the best morale for citizens because there is less red tape when dealing with issues in the constituency.

Likewise, Legislators in the process of representing constituents, engage in activities that range from the formal legislative (i.e. passing legislation) to the informal quasi-legislative (i.e. services provided to constituents outside Parliament) This aspect involves deliberative democracy and collaborative policy making,<sup>444</sup> which has to be done in conjunction with the citizens. Certain barriers seem to hinder the participation of citizen in this deliberation and collaboration. These are identified as the nature of life in contemporary society, administrative processes and the current practice and techniques of participation.<sup>445</sup> One of the ways through which these barriers can be overcome is by a learning process that is built on empowering and

---

<sup>441</sup> Hall Richard, Participation and Purpose in Committee Decision Making, *American Political Science Review* 81, (1987) 105-128, 122.

<sup>442</sup> Lisa Blomgren Bingham, Tina Nabatchi & Rosemary O'Leary, The New Governance: Practice and Processes for Stakeholders and Citizen Participation in the Work of Government, *Public Administration Review*, Vol 65 No 5 September/October (2005) 547-558 at 547.

<sup>443</sup> J S Jun New Governance in Civil Society Changing Responsibility of Public Administration. In *Rethinking Administrative Theory: The Challenge of the New Century*, edited by Jong S Jun 289-307, Westport CT: Praeger (2002) 295

<sup>444</sup> Lisa Blomgren Bingham, Tina Nabatchi & Rosemary O'Leary, ( n 442) 547.

<sup>445</sup> Cheryl King, Kathryn Feltey and Bridget Susel, The Question of Participation: Toward Authentic Public Participation in Public Administration, *Public Administration Review*, July-Aug 1998, Vol 58 No 4 317(10) 321.

educating both the constituents and the representatives. These processes of deliberation can lead to the effective representation of people's interests. Most importantly, it can enable administrative structures and processes that would change the way legislators and their constituents meet and interact. This will go a long way in identifying the goals and objectives of government policy interventions and make them more targeted to the needs of the citizens. The effectiveness of this deliberation is assessed by how it can engage active and informed participation of constituents in the decision-making process in particular and in the political process as a whole. If proper deliberative conditions are in place, citizens might even be able to change their minds to agree with the representatives if confronted with a better argument.<sup>446</sup> Thus, better conditions of democratic representation unfold where there is a relationship between the representatives and citizens on an ongoing basis during the term of office and not merely at the time of voting or re-election. This will have the effect of altering the judgement of the representatives and bring about an acceptance of the citizens as the proper source of their authority to be such representatives.

It should be noted that deliberation here is not seen merely as the aggregation of interests, it requires thoughtful examination of issues, listening to the perspective of others and coming to a public judgement on what represents the common good.<sup>447</sup> This is differentiated from public opinion which is uninformed, superficial and transient. This may not be able to form the basis of public policy. According to Nancy, public judgement come from people working together face to face in a shared search for effective solution to their community problems. This requires information about issues, knowledge of the basic elements of the problems as well as an understanding of the relationship among the elements and the consequences and trade-offs associated with different policies.<sup>448</sup> Thus, it can be said that citizens are an integral part of any government and their active involvement is considered essential in the substantive decision that faces the society. These decisions are those that are crucial for the life of any community as such it needs to be defined by the citizens themselves and not anyone else on their behalf. In the next section the functions of citizen participation and its effect on representation will be discussed.

---

<sup>446</sup> Army Gutmann & Dennis Thompson, *Democracy and Disagreement*, Harvard University Press (2009), See also Stephen L Elkin, *Madison and After: The American Model of Political Constitution* 2006 [www.onlinelibrary.wiley.com](http://www.onlinelibrary.wiley.com).

<sup>447</sup> Roberts, *Public Deliberation in an Age of Direct Citizen Participation* (n 378) p.332.

<sup>448</sup> *Ibid*, p.333.

### 5.3 Function of Participation and how it helps Representation

Dennis Thomson identified the main functions of political participation and its effects on political representation and listed them as follows: *protects citizens against sinister interests; helps to avoid excluded interests; provides political knowledge to citizens; improves the legitimacy of democratic institutions and leads citizens to self-realisation*<sup>449</sup>

Thomson discussion on the function of participation is important for this research because it brings to light how the realisation of these functions depends on the activities of the representatives. If we consider the important role that representatives play in the gathering and distribution of information necessary for improving the knowledge of constituents, it follows that, in fulfilling this function, a lot depends on how the representatives agree to meet with constituents and consider the preferences that they express. So, if avenues are not created where the representatives are to meet with constituents, the result is that, they prevent those interests from being heard and expressed. Thus, the actions of the representatives either create incentives or disincentives for the participation of citizens.

According to Jack Nagel 'Acts of participation are stimulated by the elites'.<sup>450</sup> This view is supported by the views of Rosenstone and Hanson who argue that, people participate in politics not just because of who they are but because of the political choices and incentives that are offered to them.<sup>451</sup> This invariably means the responsibility is on the political representatives to create the enabling environment for the citizens to participate, especially in the decision-making process. This they can do by framing the issues to be deliberated in a way that the constituents can understand and by discouraging strategies that would prevent participation like 'exclusive invitation'. This tends to cut out a large segment of the population that would ordinarily be impacted by the decision. It also gives constituents little inducement to want to respond to policy issues and participate in the decision-making process in politics.<sup>452</sup> An analysis of these functions is necessary in order to give a proper perspective of how it interacts with representation.

---

<sup>449</sup> Dennis Thompson, *The Democratic Citizen*, Cambridge, UK, Cambridge University Press (1970) 50-58.

<sup>450</sup> Nagel Jack, *Participation*. Englewood Cliffs, NJ: Prentice Hall (1987) 3-4.

<sup>451</sup> Stephen Rosenstone and John Hanson, *Mobilization, Participation and Democracy in America* New York Macmillan (1993) 50.

<sup>452</sup> Stephen Schier, *By Invitation Only: The Rise of Exclusive Politics in the United States*, Pittsburgh, PA: University of Pittsburgh (2000) 1.

Firstly, it protects citizens against sinister interests. When citizens are allowed to participate, they remain their own masters and ensure that no one will impose an interest contrary to their will. They gain freedom which comes from participation in decision making as they have a degree of control over their lives and environment.<sup>453</sup> Their involvement is also said to foster more responsible policy and administrative systems that are more in concert with what the citizens desire. Thus, citizen participation will produce more public preference decision making on the part of the representatives and a better appreciation of the larger community.

Secondly, it avoids excluded interests and this is based on the thought that extensive participation is necessary so that all interests are considered and expressed by those who know them best. There are disadvantaged citizens who have been systematically excluded from the representative democracy. Participation gives room to such persons to make their voices heard.<sup>454</sup> The function of avoiding excluded interests shows how participation depends on not only the citizens expressing their views, but also on the representatives agreeing to meet with the citizens and seriously considering the preferences that they express.

Thirdly, it provides political knowledge. The political development of citizens depends to a large extent on how they are able to participate. The more people are allowed to participate, the more they are able to develop the attitude and skills of citizenship and this has the positive effect of pulling others into the system. This means that citizen participation makes the political system to be more democratic. It also has the advantage of reinforcing the government at the local level. When citizens are allowed to participate in representative process, they are able to make good collective decisions and come to public judgements which stems from taking into account the interests of others and hearing competitive arguments before collective decisions are made. This also enables them to be self-protective and raises in them a sense of belonging in their local community.<sup>455</sup> In other words, through participation, democratic citizens gain competence and improve the understanding of their own needs, desires and interests. This invariably would improve political outcomes by helping both the citizens and the representatives to base their decisions on better information.

---

<sup>453</sup> Pateman Carole, *Participation and Democratic Theory*, Cambridge, Cambridge University Press (1970) 7.

<sup>454</sup> Robert Dahl, *Democracy and its Critics*, New Haven CT Yale University Press (1989); L M Sanders, 'Against Deliberation', *Political Theory* 25(3), 347-376 (1997).

<sup>455</sup> Thompson, *The Democratic Citizen* (n 449) 56.



It is argued that, relying on other people to advance one's interest comes with risks, hence the need for constituents to participate themselves. In this way, they can hold their representatives accountable. Through their participation, citizens can make continuous judgement on how they are being represented. As David Plotke argues, citizens gain political representation when their authorized representatives try to achieve their political aims, subject to dialogue about those aims and to the use of mutually acceptable procedures for gaining them.<sup>456</sup> In a political sense, this makes the citizens to be present throughout the representative process and this conception is what underlines the agency of both participants in the representation relationship. Here, the representation-relationship does not exclude the agency of the principals who act through the representative, rather, it looks at the exercise of political freedom as an on-going communicative process. This tends to challenge the view that citizens are sovereign only in a potential way, because they only exercise their right of choice during elections by “deposing” the representatives.<sup>457</sup>

Fourthly, it improves the legitimacy of democratic institutions. By their active participation, citizens give their consent to political institutions and thereby to the decision-making authority of these institutions.<sup>458</sup> Where citizens refuse to participate, it is an evidence of their disapproval of the system. As Young argues, the legitimacy of a democratic political system depends partly on the extent to which all citizens who will be affected by the decisions made by the political system have had an opportunity to have their voices heard in the decision-making process, because this has the effect of producing stability within the system.<sup>459</sup>

Finally, citizen participation can lead to self-realisation. Democratic citizens are meant to shape themselves and the decisions that are made about them through their active participation. For them to be autonomous, they must be allowed to participate in decision making especially in matters that affect them. This depends on the choices that are offered to them as it fosters the right relationship between the representatives and the represented. To sustain the virtuous circle of representation, a participatory government requires a participatory society to be able to sustain it. This also means that participation gives the power to the citizen to be able to challenge their representatives and this can be an avenue through which changes can be made.

---

<sup>456</sup> David Plotke, Representation is Democracy, *Constellations*, 4 (Nov 1997) 31; emphasis added.

<sup>457</sup> Hampton, Henry and Steve Fayer (eds) *Voice of Freedom, An Oral history of the Civil Rights Movement from the 1950s through the 1980s*, New York Bantam (1990).

<sup>458</sup> Dovi (n 3) 127.

<sup>459</sup> Iris Marion Young, *Inclusion and Democracy*, Oxford University Press (2000) pp. 5–6.

The highlight of these functions goes to show the importance of citizen participation in a democratic society that intends to achieve proper representation of its citizens. Despite its importance, there are some criticisms to citizen participation as many regard it with distrust.<sup>460</sup> This is because they doubt the ability of the citizen to make positive contributions to governance and decision making in general. According to Schumpeter who is a strong proponent of this view, 'the masses are incapable of action other than a stampede'.<sup>461</sup> Others like Stivers also reason that, the involvement of citizens in governance and decision making is unworkable however desirable it may be.<sup>462</sup>

Some of the reasons for their criticism of participation rests on the assumption that, citizens by nature are naturally flawed as they tend to be over zealous or indifferent. Critics argue that the average man is not a rational and thoughtful democrat, rather he is a prejudiced individual who neither understands nor is particularly committed to democratic principles.<sup>463</sup> This being the case, what is required is a form of guidance in decision making by some informed and politically active minority.<sup>464</sup> This is because, it is felt that citizen participation is inefficient as it will in some way make the decision making process slow if all the persons involved will have to be called upon to make their inputs before particular decisions can be taken. They further argue that, the complexities of modern society demand that the elected officials and administrators who have the capacities are saddled with the ultimate responsibility to formulate and execute public policy as that is what they are hired to do. If decisions are made by just the citizens who have no knowledge, the decision made will be uninformed ones.<sup>465</sup> Other criticisms that are levelled against citizen participation is that, it cannot prevent powerful cliques from dominating the decision-making process nor can it eliminate the difference in power that it is meant to eliminate.<sup>466</sup>

These critiques of citizen participation help to bring to light some of the problems that need to be addressed if participation will be able to enhance the representation of constituents. There is no questioning the fact that modern representative democracy demands the recognition and

---

<sup>460</sup> Dahl, Democracy and its Critics (n 409).

<sup>461</sup> Schumpeter, Capitalism, Socialism & Democracy (n 389) 283.

<sup>462</sup> Stivers C, The Public Agency as Polis: Active Citizenship in the Administrative State, Administration and Society 22(1) 1990 86-105 at 87.

<sup>463</sup> Hart D K Theories of Government Related to Citizen Participation, Public Administrative Review, 32, 603-621 (1972) 610.

<sup>464</sup> Ibid 611.

<sup>465</sup> Kaufman, Administrative Decentralisation and Political Power, Political administrative Review 29(1) 3-14 (1969) 9.

<sup>466</sup> Kweit M G & Kweit R, implementing Citizen Participation in a Democratic Society: A Contingency Approach, New York: Praeger 1981.

equality of citizens in relation to their needs, characteristics and identities.<sup>467</sup> Political theorists have argued that good representation requires that the represented be made present.<sup>468</sup> According to Bentham, “there is no one who knows what is in your interest better than yourself”.<sup>469</sup> The same can be said for constituents that no one can know the interest of constituents better than the constituents themselves. It follows then that, each constituency is the guardian of what constitutes their interests. Representatives cannot act in the best interest of constituents if left to themselves without relating with the constituents. There is therefore the need for the constituents to come to reason with them and make collective choices. The essence of this collective choice is in finding a method that allows participants to compare gains and losses that stem from a particular policy intervention. For this reason, citizen participation has been thought to include a vast number of official contacts and communications with government officials as well as a large volume of informal, problem-solving activity among friends and neighbours in local communities. This gives the citizens the opportunity to be the final judge of what constitutes their interests. It also allows the representatives to use the information they gather from the people to further their interest.

Consequently, the absence of participation is one of the key ways that can be used to show that a representative system fails to be responsive to constituents. This is because there are fundamental differences in the social position that affects how legislators perceive constituents and vice versa. Where these contacts are absent, it allows the prejudices of both parties to come into play and the legislators may be acting on what they perceive to be the interests of the constituents which may very well be wrong. Also, when political opportunities are limited and avenues of political participation are strictly restricted and controlled, citizens become passive which can lead to negative form of participation like protest and boycott that may not be beneficial to society. This passivity can mean a transitional waiting for better opportunities for participation.<sup>470</sup> This also has been explained to be the reason for the decline of citizen involvement and the retreat of many citizens into their private spaces in many democracies.<sup>471</sup>

---

<sup>467</sup> Young Iris Marion, *Inclusion and Democracy* Oxford, Oxford University Press 2000, William Melissa, *Voice, Trust and Memory, marginalised Group and the Failing of Liberal Representation*, Princeton, NJ Princeton University Press 1998.

<sup>468</sup> Child Sarah and Joni Lovenduski (2012 Forthcoming) *Political Representation* Waylen, Goergina, Celis, Karen, Kantola, Johanna, (eds) *The Oxford handbook of Gender and Politics*. Oxford University Press (2012) 18.

<sup>469</sup> Dennis Frank Thompson, *J. S. Mill and Representative Government*, Princeton University Press (1976) 208

[www.jstor.org](http://www.jstor.org).

<sup>470</sup> Martiliello (n 425) 5.

<sup>471</sup> *Ibid*.

Thus, political participation largely and primarily depends on the structure of political opportunities present at any given time and in any given society, which is the result of inclusion-exclusion mechanisms developed by the states.<sup>472</sup> By not establishing arenas and institutions for consultative politics, states may close avenues of political participation for its citizens and thus provide them with fewer opportunities to participate in the management of their collective affairs.<sup>473</sup> But when issues are framed to be deliberated between the representatives and the constituents, it offers an incentive to participate. Such strategy will invariably safeguard the mechanism of accountability and preserve the access of all citizens to governmental bodies.<sup>474</sup>

#### **5.4 Methods Employed to Include Citizen Participation**

This section examines some of the innovative mechanisms that can be put in place to enhance citizen participation and to enable citizens to present their views and preferences directly and interactively to their representatives. Voting seems to be the popular method with most writers. Although, it is an important mode of citizen involvement in political life, it is but one of many political acts that citizens can get involved in. Citizens apart from voting can work formally or informally with the representatives to solve some community problems. They can engage in a variety of activities, including working in and contributing to electoral campaigns and organizations, contacting government officials, attending protest marches or demonstrations, serving without pay on local elected and appointed boards, being active politically through the intermediation of voluntary associations.<sup>475</sup> They may also contribute money to political causes in response to mail solicitations.<sup>476</sup> The list is not hierarchical, though it is quite obvious that voting is the easiest way to participate in politics. For the purpose of this study, it is important to see that through the use of deliberation, representatives can routinely engage constituents in the decisions they make on their behalf. The extension of invitation to the citizens to participate can create a positive impact on representation, but it needs to be noted that this is not just declarative, it has to be implemented in practice.

---

<sup>472</sup> Martiliello (n 425) 8.

<sup>473</sup> Ibid.

<sup>474</sup> Dovi (n 3) 129.

<sup>475</sup> Verba S, Scholozman K. L. & Brandy H. E. 'Voice and Equality: Civic Voluntarism in American Democracy, London, Harvard University Press (1995).

<sup>476</sup> Eremenko (n 439) 4.

Verba divides citizen political acts into three categories based on certain factors which he classified as: the requirements for activity; the level of capacity for conveying information; and the variation of pressure on policymakers made by activity.<sup>477</sup> This classification reflects one important feature of the political life in any given state and that is the freedom of choice. It also goes to show how effective the political system of a society can be when there are possibilities for everyone to find their niche in the participation process. Thus, for good representation to suffice, avenues must be made available for the citizens to express themselves and this right must be safeguarded. This brings us to the next section where an evaluation of citizen participation is assessed to see the extent to which it enhances the representative process.

## 5.5 Assessing Citizen Participation

In assessing citizen participation, one needs to evaluate the outcomes and processes and its implication on the representative process. For this to be done, there is need to be clear on what model informs the analysis that is made. Also, it needs to be noted that variations in the participation patterns would depend on certain inherent factors in the society such as the stability in the social system, acceptable pattern of power, presence of organised political and social movements that agitate for community rights etc.<sup>478</sup>

Erasmus Kloman in his research on “Citizen Participation in Philadelphia Model Cities, demonstrates the difficulties of conducting evaluation in highly charged political environment and the challenges of reconciling multiple perspectives.<sup>479</sup> Judith Rosener advocates an approach which she believes avoids some of the major difficulties in evaluating participation and she proposes a measurement of its ‘effectiveness’. Using this model, evaluation can be moved from a scenario where there is no agreement on participation, criteria or cause/effect relationship between a programme activity and the achievement of goals and objective to a scenario where there is agreement on participation which has a goal or objective and criteria by which success or failure of the activity can be measured.<sup>480</sup>

---

<sup>477</sup> Verba, Scholozman & Brandy, Voice and Equality (n 475).

<sup>478</sup> Aleshire R A, Power to the People: Assessment of the Community Action and Model Cities Experience, Public Administration Review 32, 428-442 (1972) 430.

<sup>479</sup> Kloman Erasmus, Citizen Participation in the Philadelphia Model Cities Programme: retrospect and Prospect, Public Administration Review, 32, 402-408 (1972).

<sup>480</sup> Judy Rosener B (1978) Citizen Participation: Can we Measure its Effectiveness? Public Administration Reviews 38(5) 457- 463.

This means there should be an understanding that, citizen participation is not just an end in itself but a means to an end. The ultimate goal of involving the citizens, which is for them to input their preferences in order to get to the goals or objectives of the particular government policy or intervention programme, must be achieved. This is the specific function which the citizens are meant to perform in that participation activity. For them to be able to do that, the objective has to be clear to them. This way, the cause and effect relationship between their participation and the desired goals can be measured in terms of the achievement of those goals. It is however emphasised that there should be an agreement on goals and objectives, and an indication of whose goals and objectives they are. Also, there must be a fair knowledge of a cause and effect relationship between the specific participation programme and the achievement of the agreed upon goals.

The significance of this model is its impact on the policy process as it illustrates an attempt to evaluate decisions that are made based on the processes and outcome that follows. The stated goals and objective are defined by the accomplishment and the specific change and conditions which the programme intends to produce. The activity could be the town hall meetings or other forms of engagement between the representatives and the citizens. In order to determine whether or not these activities contributed to the achievement of the objective, the criteria is that, there has to be evidence that there was interaction between the representatives and the citizens and evidence that the citizens input are being used in the policy or the decisions made. This is what shows that they were involved in defining the problem and setting out the priorities on how to find a solution to it.

Indeed, there may not be a widely acceptable scheme for conceptualising and measuring the effectiveness of citizen participation, because an understanding of the environment in which the activity and the assessment will take place is also important. However, what is being stressed here is that, if representatives are to do their jobs well, they would need to involve citizens in a way that is judged to be effective and this has to do with the process and the activity that they perform and not just that they are present. Seeing that the right processes are followed is enough to boost the confidence of citizens in any representative process and make them feel more represented and as suggested by Elena C Van Meter, 'Effective citizen participation can

be the bottom line of government',<sup>481</sup> such that government can use this as a basis to change or justify their policy and processes of implementation.

Thus, citizen participation in this sense means the sharing of decision power and not just an expression of opinion after decisions have been made by the representatives. By including citizens, representatives and the citizens would be able to know what works and what does not work through the information and the deliberation. This would minimise the frustration felt by the representatives in meeting the expectations of citizens as well as minimise the distrust felt by the citizens about their representatives. It would also mean that, expectation about a particular government intervention would be clear and the representatives would have to be honest about their intention while the citizens would also be reasonable in their demands. This invariably will go a long way in making the citizens claim ownership of whatever decisions are made and ultimately feel more represented.

If this model is applied to government policies like the CDF in Nigeria, the processes that are employed by the representatives in getting the constituents to make an input in the decision making and how projects are allocated can be evaluated. This will ultimately be a measure of how the policy initiative has been able to meet its objective which invariably is in line with effective representation of citizens' interest.

To further support the use of this model, there is the persuasive argument that smaller systems hold out the potential for effective citizen participation than larger ones.<sup>482</sup> Due to the scale of size, the constituency would seem to be one area where citizen participation would seem to be more evident.<sup>483</sup> This means in implementing the CDF policy, the small size of the constituency should ordinarily be seen as an incentive, as it is small enough for the representative to mobilise the citizens and encourage them to participate. In practice, this is hardly the case as there seems to be a tension between the representatives and the constituents. This may be because, constituents are perceived by the representatives as not having the skill and time to devote to making cogent decisions. Nonetheless, representatives feel that it is within their purview to make decisions on their behalf. The problem this raises is that the representatives sometimes

---

<sup>481</sup> Elena C Van Meter, "Citizen Participation in the Policy Management Process" *Public Administration Review*, Special Issue (Dec 1975) 812.

<sup>482</sup> Robert A Dahl, *Democratic Dilemma: System Effectiveness versus Citizen Participation*, *Political Science Quarterly*, Vol. 109, No.1 (spring, 1994) pp 23-34, 28.

<sup>483</sup> Nancy Roberts, *Public Deliberation in an Age of Direct Citizen Participation*, *American review of Public Administration*, Vol. 34 No 4, December 2004 315-353 at 330.

may not be attuned to the issues of the community and acting alone might not enable them to meet the constituency needs. As a result, there seems to be a constant call for decentralisation in the decision making and direct citizen involvement. This direct citizen involvement in a democratic society is now viewed by many as a vehicle for social change and transformation.<sup>484</sup> The extent to which it is being espoused and practised or the extent to which it is opposed and questioned appears to be the level of citizen satisfaction or dissatisfaction with a particular government service.<sup>485</sup>

## **5.6 Citizen Participation in the CDF and its Impact on Representation**

It is already established that, the mandate of the CDF in Nigeria is to provide even development in all the constituency districts and it seeks to enhance provisions for constituency projects which are implemented by members of the legislative arm.<sup>486</sup> It is also an established fact that the implementation of this process requires the participation of the constituents. The purpose of this, is to ensure that the interests of the constituents are represented in the allocation of these constituency projects. However, if one considers the fact that the CDF legislation at the federal level is yet to be enacted by the National Assembly and that apart from the government directive, there is no law in force backing the policy, then one may come to the conclusion that citizen participation is not yet defined. This conclusion is reached because there seems to be no express agreement on goals, which ultimately affects the criteria that may be used in judging the value of any activities performed by both the legislators and the constituents in the implementation of the CDF policy.

Although this is the case, another argument that could suffice could be that, there are other government documents that may have the force of law where the policy directive may be inferred. For instance, the funds from the CDF are from the appropriation of the Federal government and this in itself is a law. Other government directives and Hansards of the National Assembly are also important in determining the objectives of the programme. These documents presume that, the central principle behind the CDF is the interest of citizens as their involvement is crucial to the choice of projects that are sited in any particular community. In the absence of predetermined goals and objective, one can rely on these documents to develop

---

<sup>484</sup> Korten, D C, Community Organisation and Rural Development: A Learning Process Approach, Public Administration Review 40(5), (1980) 480-511.

<sup>485</sup> Roberts Democracy and its Critics (n 43) 331.

<sup>486</sup> Damilola Oyedele, Bill Proposing 2.5% Statutory Allocation to Constituency Project Passes Second Reading, (June 3 2016) [www.thisdaylive.com](http://www.thisdaylive.com).



a set of criteria or standards with which to measure the specific programme's activity against the overall principle that it stands to achieve. Thus, the CDF as a policy can generally be said to encourage citizens to get involved in the decision making regarding their welfare.<sup>487</sup>

The participatory approach of the CDF policy is meant to shift the development paradigm from the top down approach where development agencies are used to acting as all-knowing and taking communities as passive objects of development, to the bottom up approach. This paradigm shift means equal participation of citizens and empowering development beneficiaries in terms of resources and needs, identification, planning on the use of resources and the actual implementation of development initiatives.<sup>488</sup> Unfortunately, whatever safeguard that has been put in place with regards to citizen participation in the CDF programme, may not be yielding much results. This is due to the inherent weakness in the processes which still affects adversely the participation of constituents in the implementation of the policy.<sup>489</sup> This wave of non-participation, it has been argued, has provided evidence of a crisis in popular representation in many low and middle income countries, as state responsiveness to social claims and the ability of the existing structures to provide representation for their constituents and allow them have an influence over policy is on the decline.<sup>490</sup>

This seems to be the situation in Nigeria, as citizens tend to be more curious about what representatives do in the course of performing their functions. On a cursory look representation might seem to be taking place but, attention needs to be paid to not just the fact that constituents are present, but on the processes adopted to include their preferences in the decision making process while implementing the policy. Dovi has warned that, representatives should not just be judged as representing constituents' interests merely because they increase opportunities for constituent's participation, rather they should be judged by whether they encourage forms of participation that further the well-functioning of the institution and foster citizens capacities and opportunities for such participation.<sup>491</sup> This means that where citizens are allowed to take part in meetings, but the positions to be taken are already decided without their input, such a

---

<sup>487</sup> Mbitha Mwendwa, From Center to Margin: An Appraisal of the Constituency Development Fund (CDF) as a Decentralization Strategy in Kenya. P. 3 [www.eldis.org](http://www.eldis.org).

<sup>488</sup> Roberts Chamber, Who's Reality Counts: Putting the Last First, Intermediate Technology Publication, IDS Discussion Paper 347(1994).

<sup>489</sup> Chitere O P & Ireri O N, District Focus for Rural Development in Kenya: It's Limitation as a Decentralization and Participatory Planning Strategy and Prospects for the Future. Nairobi Institute for Policy Analysis and Research (2004).

<sup>490</sup> John Harris Political Participation, Representation and the Urban Poor: Findings from Research in Delhi, p 2 [www.2.ids.ac.uk](http://www.2.ids.ac.uk).

<sup>491</sup> Dovi (n 3) 130.

practice does not foster proper participation and this impacts on how one conceptualises the representative system. Thus, a system which is concerned with the capacity of citizens to engage in public activities and decision making without necessarily controlling the decision-making process can effectively articulate the interests of its citizens. This is what Philips terms as 'politics of presence'.<sup>492</sup>

The presence of constituents in the implementation of the CDF can only be meaningful if their preferences are taken into consideration in the allocation of infrastructural projects. This is when the projects can match the needs of the constituents as they become a part in identifying the solution to the problem of infrastructural deficiency in their local communities. When the preferences of the constituents are manipulated, there is no way this can improve the functioning of the representative system and make government intervention policies effective. The constituents' participation is meant to contribute to the objective of the policy and make it necessary for the representatives to use the policy to represent constituents.

The approach taken in the implementation of the CDF in Nigeria tends to point to the fact that constituents are often vulnerable to manipulations by their representatives who withhold information from them. Most of the systems operation seems to be shrouded in secrecy as such constituents are not aware of the essence of the policy. They may sometimes seem to be taking part in meetings, but they really do not make an input to the project selection or the siting of such projects in their constituencies. They merely attend those meetings as nominal participants and play no part in the decisions that are made. Constituents generally seem alienated and sometimes go to the extent of resisting these development initiatives. Indeed, Chitere has cited cases where communities that have been left out have resisted initiated projects in their communities.<sup>493</sup>

This goes to show that not all methods of citizen participation can support the capacities of constituents. Citizens that are enlisted to participate should be able to have trust in the process. Their representatives and the methods that are employed in the decision-making process should be such that would allow them to voice their preferences. This is what contributes to the proper functioning of the CDF policy and ultimately the representation of constituents' interests in

---

<sup>492</sup> Anne Philips, *The Politics of Presence*, Clarendon Press, Oxford (1995).

<sup>493</sup> Chitere P.O, *Community Development: It's Conception and Practice with Emphasis on Africa*, Nairobi Gideon S. Were Press (1994).

that regard. A lack of participation by constituents is a way of denying the CDF programme any chance of success and giving the representatives the chance to use the policy initiative to their advantage and at the expense of constituents.

In the light of the above, it is seen that in carrying out their function, the legislators engage in activities that would require them using deliberation and public conversation with their constituents and this can be regarded as a collaborative policy making which is important to the operation of any policy initiative. They are meant to educate their constituents through deliberation and offer prescriptions regarding political issues. This way, they are also able to shape how the constituents understand an issue and take decisions that would further their interests. By doing this, they also inspire constituents by example to participate and bring them into the policy making process through public hearings, town hall meetings, teach-ins and other meetings that allow testimonials. This way they are able to justify their decisions by invoking the experiences of their constituents<sup>494</sup> and the constituents in turn are able to give the political cover that they need to exhibit democratic representation.

A good representative system must, therefore, seek to safeguard the capacity of constituents to determine when and how they need to participate. It should allow the constituents to make their own choices regarding the good that they want. Such necessary conditions include educating them and giving them the required information to enable them to participate.<sup>495</sup> It also includes preserving the capacity of the constituents to make decisions that would be in their interests. In the course of representing, the processes representatives employ to provide mechanisms for the effective recognition and representation of the distinct voices and perspectives of their constituents groups is what seems to be important.<sup>496</sup> The requirement is for the citizen to be seen to rule and be ruled and not just stay entirely passive in the decision making process especially on matters that affect them.<sup>497</sup> They should be able to monitor the process and be willing to engage actively when the need arises. This is how they are able to fulfil the requirement of democratic citizenship and representatives have an important role to play for this to be achieved.

---

<sup>494</sup> Dovi (n 3) 135.

<sup>495</sup> Nussbaum Martha Aristotelian Social democracy, In Bruce Douglass and Gerald Mara (eds) *Liberalism and the Good*, New York, Routledge 203-252 (1990) 216.

<sup>496</sup> Iris M Young *Justice and the Politics of Difference*, Princeton University Press, Princeton (1990) 184.

<sup>497</sup> Dovi (n 3) 129 emphasis mine.

Democratic citizenship here is understood as a latent condition that is triggered by the representatives when they invite the constituents to participate. Representation should not be restricted to only just the political moments when citizens vote. It should also be identified with those moments when they engage with representatives in town hall meetings and take part in the decision-making process. The information that is passed on to them by the representatives is what enables them to think for themselves and take a position that would be in their own interests. When citizens are allowed to participate in this way, it creates a space where they can reason together and come to public judgement with their peers in face to face meeting about issues of public concern.<sup>498</sup> Apart from the fact that people are able to learn from one another about issues of public interest, people become receptive when they engage in meaningful deliberation with one another.<sup>499</sup> It also brings together a cross sample of the electorate who deliberate on the issues that affect the community aided by the representatives who provide them the facts in a language they can understand. This ultimately leads to better policy recommendations that are more thoughtful and substantive.

Supporting this view, Box advocates a rethink in the structure of representation by redefining the role of citizens, elected officials and the administrators, so that responsibility can be shifted from the professionals and the elected officials to the citizens through mechanisms of engagement.<sup>500</sup> For the CDF, the facilitation and mobilisation of citizens, the consequences of the activities and the responsibility for implementation are all factors that need to be born in mind if the policy is to achieve its goal of meeting the needs of constituents and serve as a tool of representation. Emphasis on the process of citizen participation becomes more critical because the issues to be dealt with has to do with growth, allocation and development that are required to meet the needs of constituents.

## **5.7 Analysis**

The idea that people ought to be directly involved in the decision that affects their lives is something that has captured the attention of theorists. Despite the warnings about its dangers, limitations and impracticability, its appeal continues to drive political theories. As such, its

---

<sup>498</sup> Robert N, Public Deliberation in the Age of Direct Citizen Participation (n 483) 340.

<sup>499</sup> King S. K., Feltey K. M., & Susel B.O, The Question of Participation: Towards Authentic Participation in Public Administration, Public Administration Review 58(4), (1998) 317-326.

<sup>500</sup> Box R C, Citizen Governance: Leading American Communities into the 21<sup>st</sup> Century, Thousand Oaks CA Sage, (1998).

capacity to enhance democratic representation cannot be overstated. The struggle is to ensure that such participation is inclusive of all citizens that are willing to participate and not just a subset of it. The ability of representatives to plan and deliberate with their constituents will in no doubt enhance the decisions that are finally made in their various constituencies. Therefore, a continual search for practices that would enable this engagement is recommended. The practices adapted should be such that would enhance the proper representation of constituent's interests and make intervention policies like the CDF to be relevant in meeting the needs of constituents and fulfilling the purpose for which it was established in the first instance.

It is apparent that the gap between the ideal and what is practised has resulted in a situation where the constituents believe that the decisions made are not necessarily in their interests. This appears to energise the constituents and make them criticise government and its policies and call for more participation of citizens. A deliberative process that would require the face to face involvement of constituents in decision making especially in matters that affects them is what is needed and this is obviously still lacking in Nigeria. This situation is mainly due to the lack of interaction between both parties hence a lack of monitoring and accountability and suspicion among the citizens. As Lukensmeyer & Brigham put it "the values are there, the strategies are there, the people are there, it is simply up to the representative to make it happen."<sup>501</sup>

It is worth noting that, in determining the relevance of citizen participation in a representative democracy, one finds that the roles of both the representatives and the constituents are intertwined. Both parties need each other and there has to be some compatibility between these roles. This is what is ideal for interaction and to mutually reinforce support for the inclusion of constituents in the decision-making process. A change in the perception from both parties can also help to reinforce this relationship. If the representatives were to be more responsive and transparent and the constituents, less suspicious of their intentions, then there could be better representative processes where all the parties act with mutual understanding and consideration of the other's interests.

However, changes do take time to happen and behaviours are deeply ingrained so the role expectations of the representatives and the constituents may not change overnight. The

---

<sup>501</sup> Lukensmeyer C J Brigham S, Taking Democracy to Scale: Creating a Town hall meeting for the 21<sup>st</sup> Century, National Civic Review 91(4), (2002) 351-366 at 365.

deliberate lack of information on the part of the constituents is mainly blamed on the representatives who place restrictions on the means through which citizens get informed and enlightened. Constituents may be seen attending Town Hall meeting with their representatives but a lot of them have little or no understanding about the CDF for instance and they really have no say in the selection and implementation of projects. This is contrary to the views espoused by Robert Dahl who argues that, for people to be able to know what they want and what is best for them they must be enlightened and this can be via the information they get.<sup>502</sup>

Therefore, the idea of how the representatives are supportive of citizen's active participation is vital to how they can effectively represent their interests. The model where the citizens are mere subjects that are meant to succumb to the ruler's voice seems to be replaced by a model that calls for an expanded role for citizens. This is not just centred on citizens who will vote for a candidate to represent them in parliament every four years, but it requires the continuous and active participation of these constituents in the decision making that involves them. Different models of how to deal with the public and public funds are beginning to emerge. People are demanding for a more accountable government that is open, transparent and inclusive of its citizens and citizen participation needs to be understood within the context of this change because it sets the terms and conditions of how representation can be defined, expressed and judged.

Therefore, legislators who represent the interests of the people have the responsibility to energise and coordinate all the parts of the system, ensuring equal and equitable outcomes and the constituents will in turn make their input and support the programme and activities so they can be properly designed, implemented and evaluated.<sup>503</sup> In this way, citizens would be able to promote their interests in a group rather than as individuals. This would also create avenues where constituents foster a more collective advocacy group that would represent their wider interests and be a watch dog for the greater good of all in the community. Such dispersed groups in the community enable active and legitimate opportunity for the citizens to be heard at the critical stages of the decision-making process. Also, the diversity of interests can be represented and a reasonable responsiveness to constituent's interests can be developed. As the citizens are expected to be knowledgeable about their interests, the representative's role is to give access to them so that they can be voiced out for the representatives to implement. It goes without

---

<sup>502</sup> Robert A Dahl, *A Democratic Dilemma* (n 482) 31.

<sup>503</sup> Roberts N, *Public Deliberation in the Age of Direct Participation* (n 483) 329.

saying that the role of the representatives in this regard is to be implementers of the citizen's preferences through their laws, mandate and policies.

The decision-making process has been described as a learning process where the citizens are co learners and solutions to public problems have to be discovered through a process of social learning.<sup>504</sup> This social learning occurs through collaboration between the representatives and the citizens who are required to make value judgements and trade-offs among competing social needs and solutions on how to meet these needs. The representatives as stewards serve as facilitators of this learning process. By their activities, they are able to create supportive political cultures that can be sustained through their encouragement of citizen involvement and accommodating collaborative problem solving and decision-making group. If nurtured through dialogue, this can ultimately have the effect of developing citizen's identities and harness the energy and talent of members of the community.

Ultimately, the empowerment of citizens lies at the heart of citizen's participation. There exist no objective criteria that can be used as a yardstick to measure its effect on the representation of constituents, but by assessing its relevance to how the representatives can effectively articulate constituents' interest, its relative importance can be deduced. The actions and the processes used by the representatives when they act on behalf of constituents confer legitimacy and ownership of the decisions that are made and this affects the extent to which the constituents can feel represented. This process of mobilisation and capacity building is what will ultimately give voice to constituents and enable them to express their preferences to their representatives and enhance the representative process so that decisions that are made are better targeted to the needs of constituents.

## **5.8 Conclusion**

The broad picture that emerges from this chapter shows the importance of citizen participation in the representative process. It has discussed how citizen participation is a factor that helps in the effective representation of citizens. Ideally, for representatives to be able to represent constituents' interest they have to enlist their participation so that they can make their interests

---

<sup>504</sup> Dewey J. Democracy and Education New York Macmillan (1966).

and preferences known. This is necessary because the articulation of interests itself is a purposeful and requisite value in any democratic society.<sup>505</sup>

Mere participation of constituents is often not enough in itself. What is needed is that citizens that participate are able to contribute to the decisions that affect them. Therefore, the representatives are meant to adopt processes that allow for deliberation and give the necessary information that will enable the citizens to understand political issues and make their decisions based on such understanding and their needs or else such representation is hollow. The measure of effectiveness of this participation can be deduced from the processes used to mobilise constituents' participation and the outcome on the policy process. From this, one can infer if the preferences of the constituents have been included and in this way, representatives can be said to be representing those interests.

Unfortunately, the CDF policy in Nigeria has continuously been implemented with little or no contribution from the constituents. The decision as to what projects to be sited in respective communities are taken without the input of the constituents and this has been the reason why some of these projects seem to have failed to meet community needs. If constituents are allowed to participate through effective deliberation and consultation with themselves and their representatives, they would have the chance to make their preferences known by choosing from competing needs those that are most salient to the wellbeing of the generality of the people. Also, it has been seen that policy preferences, implementation and enforcement cannot adequately meet the needs of citizens if such needs are not known and the citizens are in the best position to make this known to the representatives rather than for them guessing what it is. Therefore, the representatives need to do more in allowing citizen participation as this can help them in their work of representation. Citizens have the right and must be allowed to participate in public policy and decision-making process as they know what is important for them and how they can best achieve their objectives. The duty then is on the representatives to devise effective ways of engagement with them, only when this is done can representation be able to meet constituent's interests.

---

<sup>505</sup> Aidan McGarry, *Political Participation and Interests Articulation of Roma in Romania*, Jamie 7, European Center for Minority Issues (2008) 19.





## CHAPTER SIX

### REPRESENTATION AND INSTITUTIONAL DESIGN

#### 6.1 Introduction

The normative question in this research has been how quality representation can be achieved. Certain key factors have already been pointed out. It is however important that structural conditions and institutional design under which a practice of good representation has the best chance to flourish be in place. Usually, there are different characteristics or features that are inherent in every system that affect the realisation of representation. These institutional features according to Herrick, can affect legislator's incentives for responsiveness, their ability and how they represent their constituents.<sup>506</sup> Legislators as individuals act in an institutionalised representative system and it is against the background of that system, that their actions constitute representation.<sup>507</sup> Thus, it is doubtful whether a rational effort to represent the interests of constituents can be feasible without the proper institutional framework in place.

Invariably, this means that representation does not just pertain to the representatives and their constituents alone, but to the institutions that designates the processes through which the dynamic activities of the representatives are structured. It is within these institutional structures that the representation stands or fails. In essence, how responsive the representative is can be judged from the presence or absence of particular characteristics or mechanism that relate to the many interactions that the representative may have with constituents. This, coupled with the wide range of choice of responses within the general context of their obligation to their constituents, means that there are bound to be variations in representation with regards to different issue areas. Hence the nature of representation is constantly changing and is dynamically linked to the institutional influences to which it is exposed. It is for this reason that Douglas suggested that the term institution should be understood in the rather broad sense as 'the humanly devised constraints that structure human interaction'.<sup>508</sup> This makes it imperative to examine the institutional design in order to see those features that enhance or serve as a hindrance to the representatives in the course of carrying out their representative functions.

---

<sup>506</sup> Pitkin, *The Concept of Representation* (n 11) 225.

<sup>507</sup> *Ibid* 11.

<sup>508</sup> Douglass C. North, *Institutions*, *The Journal of Economic Perspective*, Vol 5, No 1, Winter (1991) pp. 97-112, p. 103.

As earlier stated, substantive representation which is at the heart of legislative responsibility requires contact with constituents. Constituents also want to have access to their representatives.<sup>509</sup> This is how representative actions can be in line with constituents' preference. Those features that guide the conduct of representatives and govern their operations, determine how they act and thus produce by-products.<sup>510</sup> These products are either due to the incentives or the disincentives that the design of the institution may create in the representative in the course of representing constituents. So, when legislators are accused of not representing, it may well be because of the faults in the institutional design that beset their actions and their ability to function. Other ills in the society such as corruption and conflict of interest have been identified as factors that may also influence legislator's activity and overall performance.<sup>511</sup> This means that in the quest to understand how legislators represent, certain other questions have to be answered. This includes an understanding of the presence of corruption and the different levels of socio-economic development that exist in the system.

This chapter examines the relationship between representation and institutional design. Those features that affect legislator's incentive to represent are identified. For instance, features that make them vulnerable, ambitious or affect their role orientation may well affect their sensitivity to their constituency needs. While some features would have positive effects in increasing their incentive, others may have negative effect and decrease their incentive. The implications of these features coupled with other variables cannot be overemphasised. Put together, they determine what the legislator is able and not able to do.

Generally, research on representation has failed to include attitudes about institutional designs and how it influences the capacity of the representative to represent. This approach has left unexamined the notion of how the system might support or hinder the ability to represent. Political economy literature has been able to analyse the behaviour of government and players acting within an institutional framework. However, their focus has mainly been on the incentives that are faced by government agencies in the policy making process. They fail to examine the influence that the institutional design may have on those processes. For instance, the role of the constitution in the determination of policies was evaluated by James

---

<sup>509</sup> Fenno R F, *US House Members in their Constituencies, An Exploration*, American Political Science Review, 71, pp 883-917, (1977) 915.

<sup>510</sup> Kousser T. *Term Limits and the Dismantling of State Legislative Professionalism*, New York Cambridge University Press (2005) 3.

<sup>511</sup> William J Keefe, 'The Function and Power of the State Legislature' in Alexander Heard edn, *State Legislatures in American Politics* (Eagle Wood Cliffs Prentice Hall) (1966) 37.

Buchanan.<sup>512</sup> For a complete understanding of this, the role of institutional choices and how it affects the outcome of policy needs to be evaluated. This is necessary in order to understand how the policy implementation is able to achieve its objectives. Representatives sometimes achieve the ideal representation and sometimes they fail. The underlying principles of a democratic system such as participation, accountability and governance must be upheld for proper representation to be in place. If the institutional design undermines the upholding of these principles, then the possibility of representatives representing constituents well is weakened. This stresses the importance of examining the institutional design. Other reasons for considering the institutional design in determining quality representation is that: it can bring about more routinized procedures that would enhance helping constituents and better representation. The institutional design also affects the extent to which routine of decision making are predictable; that is, whether they follow established rules rather than the whims of personality.<sup>513</sup> The institutional design has also been found to affect the role orientation of the legislators.<sup>514</sup> To demonstrate this point this chapter examines five features in the institutional design that affect legislators' ability to represent.

## **6.2 Size of Constituency District**

The relationship between the representatives and their constituents can be made closer or more personal by the size of the constituency. Constituents from smaller districts are more likely to have personal contacts with their representative than constituents from larger districts. This can be evident from the features affecting dyadic relationships between representatives and their constituents.<sup>515</sup> Dyadic representation is made possible due to the close relationship between the representatives and constituents. This close relationship makes it easier for the representatives to represent constituents' interests since the legislators are more likely to know their constituents better and have a one to one relationship with them.<sup>516</sup> Legislators are also able to relate better with constituents.

---

<sup>512</sup> James Buchanan, *The Collected Works of James N Buchanan*, Vol. 4, *Public Finance in Democratic Process, Fiscal Institution and Individual Choice* (1967).

<sup>513</sup> Jewel Malcolm and Samuel Patterson, *The Legislative Process in the United States*, 4<sup>th</sup> ed. New York: Random House (1986) 41.

<sup>514</sup> Wahlke J C, *Policy Demands and System Support: The Role of the Represented* (1978) 26.

<sup>515</sup> Herrick R. L, *Representation and Institutional Design*, Lexington Books (2001) 16.

<sup>516</sup> Malcolm E. Jewell, *Representation in State Legislators* (n 195) 120.

This view is supported by Hibbing and Alford who in their research found that constituents in small districts want more contact with their legislators.<sup>517</sup> Moreover, as a result of this close legislator–constituency links in smaller districts, there is the likelihood that they have the potential to generate greater levels of request for the legislators and legislators in answer to these requests might become more active than their counterparts in larger districts. This suggests that close dyadic relationship will increase responsiveness, while, weak dyadic relationship might make the representatives focus on other issues than their constituency needs. The result of the later outcome may be because legislators are less well known in large districts where there are weaker dyadic relationship than in smaller districts.

Generally, in thinking about the responsive and the accountability function of the representation, it is mainly viewed from the dyadic perspective as against the collective representation which has to do with the whole legislative assembly representing the people.<sup>518</sup> The structure of the single member district (SMD) which is essentially a small size constituency, is built on the idea that voters in a particular geographical area select representatives to represent their interests. If the representative fails to do this, they can be voted out of office. This in some ways enhances responsiveness as the fear of this repercussion, may force the representatives to be more sensitive and responsive to their constituency needs.

Although, it has been argued that, electoral connection is not a prerequisite to accurate representation, the fact still remains that legislators may want to be responsive in order to keep their positions.<sup>519</sup> For this reason, Herrick makes the submission that dyadic representation is critical in any representative democracy and high levels of dyadic representation should increase the odds that the representatives serves the citizens' interests.<sup>520</sup> Since the concentric circles of a single member district comprise of those living within a given electoral constituency, this should make it easier for the representative to achieve representation.

Research has shown that irrespective of the type of constituency, representatives might differ in their orientation; while some might want to represent their immediate constituency, others might see their constituency as being the state or the nation at large.<sup>521</sup> This variation in their

---

<sup>517</sup> Hibbing J R and J R Alford, *Constituency Population and Representation in the U.S. Senate*, *Legislative Studies Quarterly*, 15, 581-98 (1990).

<sup>518</sup> Herrick R. L, *Representation and Institutional Design*, Lexington Books (2001) 4

<sup>519</sup> Weissberg R, *Collective vs Dyadic Representation in Congress*, *American Political Science Review* 72 535-47 (1978)

<sup>520</sup> Herrick (n 518) 4.

<sup>521</sup> Wahlke et al, 1962 Chapter 13, see also Smith 2003, Carroll 2002 pp 51, Mansbridge 1999 & 2003).

district/state orientation may also be as a result of their ambition. Three main types of ambition has been identified as likely to affect legislators approach to representation: *static*, which is the desire to keep the current position as long as possible, *discrete*, which is the desire to leave political office and finally *progressive*, the desire to hold higher political position.<sup>522</sup> Close relationship has been found to make legislators have static ambition. They might not want to sever their relationship with constituents and therefore feel an obligation to focus on their wishes and this way represent their interests better.<sup>523</sup> The reason they might want to be sensitive to constituents may be to insure future re-election. Those who might want to seek offices that transcend the constituency would have a wider focus. Such legislators are said to have a different approach to representation from those that have constituency focus.<sup>524</sup> They tend to work on larger issues and focus less on service and substantive representation. Such representatives if found within the single member district may not necessarily conform to the expectation of their constituents or represent their interests. However, the small size of the constituency will mean that such shabby representation can easily be noticed by constituents who will want to hold such representatives accountable.

Accordingly, responsiveness has not been limited to representatives with static ambition alone. Meastas argues that progressively ambitious legislators also cannot neglect the interests of their constituents irrespective of how secure they are in their current office as they desire to move to higher office and would require the votes of their constituents to do so.<sup>525</sup> This desire for a higher position tends to put them in a competitive position with their opponents and their close relationship with their constituents may insulate them from electoral defeat. This too may have the effects of decreasing challengers to run against them. On the other hand, legislators with discrete ambition would have little incentive to want to keep in contact with constituents or even work for them. Such representatives often shirk their representational duties towards constituents.<sup>526</sup> Again, such representatives will easily be identified in a small size district and held accountable for their stewardship.

---

<sup>522</sup> Schlesinger J. A., *Ambition and Politics*, Chicago, Rand McNally (1966).

<sup>523</sup> Herrick (n 518) 17.

<sup>524</sup> Smith M A, *Bringing Representation Home, State Legislators Among their Constituents*, Columbia, University of Missouri Press (2003).

<sup>525</sup> Meastas C., *The Incentive to Listen: progressive Ambition, Resource and Opinion Monitoring among State Legislators* *Journal of Politics* 65, 439-57, 2003 at 441.

<sup>526</sup> Rothenberg, L. S. and M. S. Sanders, *Lame-Duck Politics, Impending Departure and the Votes on Impeachment*, *Political research Quarterly* 53: 523-36, (2000).

District size might also affect the opportunity of competition for the legislators. Where there are fewer constituents to represent and just one position, the vulnerability of the incumbent might increase as there may be more eligible candidates that would be qualified and interested in that position. This on the whole may account for more costly elections that would require the incumbent to be loyal to the powers that played a role to secure their position. The counter effect of this is that, the advancement of constituents' interest may be compromised by such a representative. Legislators from multi member district (MMD) might be more secure for the same reason as there are more people and more positions and they may likewise have greater incentive to represent because of their progressive ambition.

A number of reasons tend to support the fact that small constituencies increase representation and this is mainly as a result of the static ambition of the representatives. Although these factors coupled with those relating to ambition are genuinely identified as what can positively influence the legislator to be responsive to constituents. One would agree with the position of Fenno that, a mixture of three goals seems to influence legislators generally. These are re-election, power and policy, with the dominant factor being re-election.<sup>527</sup> For this reason, Fenno argued that the constituency a representative reacts to is the constituency he sees.<sup>528</sup> So, it may be easier for legislators to be able to represent if they have small districts. This obviously will be as a result of the fact that there are fewer people to communicate with, to serve and to know. This is to say, the institutional design that creates smaller or SMDs may have some effects in that it would structure the experiences and perception of the legislators and their desire to want to represent constituents.

### **6.3 Length of Term**

The ambition of legislators has been identified as one factor that tends to influence their ability to represent. One way that the institutional design may affect this ambition is by the inclusion of term limits which is the specified maximum number of years a person can stay in office. There has been a lot of argument on the effect of this particular feature and how it affects legislator's ability to represent. Arguments are mainly based on the assumption that; term limits essentially allow more people to have the chance to serve in the legislature and increases diversity in the legislature. Secondly, it increases electoral competition, thereby reducing the

---

<sup>527</sup> Fenno (n 113) 883.

<sup>528</sup> Ibid.

power of incumbency and it presumes that lobbyists would lose their influence.<sup>529</sup> Having such a design in place, means civic minded individuals would be willing to serve a short term in the legislature and then go back to their careers. This apart, term limit has been said to have the advantage of creating more frequent accountability and allowing tighter control over political agents.<sup>530</sup> This is as a result of the fact that new faces have to frequently face the electorate who determine whether they get into political office or not. Another reason why this feature is supported is that, incumbent legislators in term limited states spend less time on campaigning and fund raising for elections as a result of this, they can focus on representation.

Research has found that both constituents and legislators agree that spending less time on campaign and fund raising is beneficial to representation.<sup>531</sup> This seems to be a precise position in theory and has been supported by other political writers. Bails and Tieslau argue that, term limits should lower the rate of spending by making public sector decision makers more responsive to the desires of the citizenry.<sup>532</sup> Herrick argues that legislators with shorter term should see a greater need to represent constituents more because they face them more frequently.<sup>533</sup> Hence, there is strong argument that upholds the view that the length of term has implication for how well legislators are able to represent and how efficiently the legislature itself functions.

Consequently, it may seem that, the incentive to perform may be stronger in shorter terms. Legislators may come into office and do their best at their job knowing that they have a short term to prove themselves. They do not spend their time strategizing on how to return to office, rather, they focus on the service they have come to offer. The prize of re-election tends not to spur them and campaign related activities are highly reduced. This giving them more time to focus on constituency needs. Essentially, this also creates an accountability effect by denying the legislator the opportunity of long-term static ambition which theorists view as making most legislators to sacrifice principle on the altar of political convenience.<sup>534</sup>

---

<sup>529</sup> Karl T Kurtz, Bruce Cain and Richard G Neimi, *The Case of Term Limits, Institutional Change in American Politics*, University of Michigan Press (2007) 22.

<sup>530</sup> Barro, R. (1973), "The Control of Politicians, an Economic Model, *Public Choice* 14, 19-42, (1973) 30.

<sup>531</sup> Karl, Bruce & Neimi (n 529) 49.

<sup>532</sup> Bails, Dale and Margie A. Tieslau, "The Impact of Fiscal Constitutions on States and Local Expenditure", *Cato Journal* 20(2) 255-277 (2000) 260.

<sup>533</sup> Herrick (n 518) 69.

<sup>534</sup> [http://termlimit.org/press/common\\_sense/cs977.html](http://termlimit.org/press/common_sense/cs977.html)



Nevertheless, it is not clear whether reducing campaign related activities would mean that legislators spend more time on those activities that the constituents would value. Conceptually, term limits have not been shown to prevent people from wanting political careers. Also, what needs to be considered is whether the value of rotating people in office outweighs the value of the knowledge and experience that incumbent lawmakers bring to their job. The effectiveness of this restriction on the performance of the individual legislator and the legislative arm as a whole has been assessed by various writers who have given dissenting views. In the United States, for example, empirical studies on the effect of term limits started appearing in the late 1980s and early 1990s.<sup>535</sup> This is as due to the fact that, they needed some time for the consequences of this particular institutional change to have its effects before research into it was possible.<sup>536</sup> However, some of the dissenting views state that, term limited legislators were more likely to engage in deliberative style of representation and spend less time in other activities that are primarily designed to get them re-elected.<sup>537</sup> Term limited legislators are fairly independent and unconcerned about elections and as such careless about their constituents' views. Their representative style would mainly be to pay attention to broader interest, rather than the interest of their particular constituents.<sup>538</sup> As a consequence, even though they are able to produce better legislative decisions, they may not have the necessary connection with their constituents. This it is concluded that, term limited legislators think of themselves as trustees than delegates. They are likely to follow their own conscience in making decisions than follow what the people in their district want.<sup>539</sup>

Obviously, spending time helping constituents with problems, keeping in touch with constituents and engaging in district projects are seen by legislators as a means of securing electoral support which is invariably irrelevant under term limits. Therefore, it is expected that such activities would diminish as the legislators have nothing to work for that would benefit them. Political analysts view electoral connection such what would enable legislators act in the interests of constituents.<sup>540</sup> They argue that legislators should be generally working for the constituency interest not implementing their own preferences or those of the state or even the

---

<sup>535</sup> Kurtz K T, Bruce B & Niemi B. E (n 529) 17.

<sup>536</sup> Ibid 19.

<sup>537</sup> Will George F Restoration Congress: Term Limits and the Recovery of Deliberative Democracy, New York Free Press 1992.

<sup>538</sup> Sarbaugh-Thompson, Marjorie, Lyke Thompson, Charles D. Elder, John Strate and Richard C. Elling, Political and Institutional Effects of Term Limits, New York Palgrave Macmillan (2004) 107.

<sup>539</sup> Lynda W. Powell, Richard G Neimi and Michael Smith, Constituents Attention and Interest Representation in The Case of Term Limits Institutional Change in American Politics (2007) 41-42.

<sup>540</sup> Polsby, Nelson W. "Term Limits". In New Federalist Papers: Essay in Defence of the Constitution ed. Alan Brinkley, Nelson, Polsby and Kathleen m Sullivan. New York Norton.

nation at large.<sup>541</sup> With no limits on their length of service, legislators are allowed to develop policy expertise and this expertise and accountability allows the peoples branch to have both power and legitimacy in government.<sup>542</sup>

Since election is what connects legislators to their constituents, having limited interest in elections as a result of term limits may make legislators ignore the constituents and their interests as they do not expect them to bring them back into office. Also, since legislators have short term, they may not be able to develop the knowledge and contacts needed for substantive representation or act on behalf of their constituents. The argument that term limits is expected to affect the vulnerability of incumbents is also highly disputed. There are numerous examples in history of legislators from Europe and the West who serve long term in office and had more time to engage and know their constituents and provide services for them. Imposing term limits may make the position less attractive and this may decrease the effort that the incumbent put into the job and invariably affect their incentive to represent. Hence, it is seen that term limits affects the extent to which legislators respond to constituents and their relation generally with constituents is hindered.

Looking at the effect of this restriction in the United States, it has been argued that term limits have been adopted in such a way that it has prevented some legislators from running for office. It has also relieved experienced legislators from office while giving new legislators a very short space of time within which to learn their jobs.<sup>543</sup> In Nigeria however, term limit operates in a different way. Unlike the Executive arm which is constitutionally required to run for office for a term of four years and a second term of another four years, the legislative arm have no such restriction. The Legislators are constitutionally allowed to run for a consecutive term of four years but there is no cap as to the number of times they can run for the same legislative office. This is expected to make them to be more professional in their chosen carriers. Whether this expectation has been met is highly debatable. Generally, most of the legislators in Nigeria remain amateur in their legislative duties. This may not necessarily be due to the length of their term in office, but likely be as a result of other factors that affect their ability to represent. Although, this research touches on a few of those factors, much space would not be spared to go into this in detail as that is a topic for another research.

---

<sup>541</sup> Powell, Neimi & Smith, *Constituents Attention and Interest Representation* (36) 39.

<sup>542</sup> Rosenthal Alan "The Effect of Term Limit on Legislatures: "A Comment." In *Limiting Legislative Terms* ed. Gerald Benjamin and Michael J Malbin. Washington DC: QC Press (1992).

<sup>543</sup> Kurtz, Bruce & Neimi (n 529)1.

One important factor that has been found to affect representation has to do with the length of the legislative session. The length of the legislative session has been shown to affect what the individual legislator can do more directly than the restriction on their term in office.<sup>544</sup> It is argued that limits on the length and frequency of sessions affects the ability of the less senior members to become acquainted with their colleagues, the issues and the legislative procedure at large.<sup>545</sup> Such skills as bargaining, being willing to compromise, appreciation of parliamentary procedure and most importantly, the capacity to listen to people, are learnt during the legislative sessions and longer sessions has the effect of equipping full time legislators with these skills to enable them represent effectively.

Unlike other jurisdictions, the Nigerian legislature may seem not to be hindered by this problem. The average number of sessions in a single legislative year is about a hundred and eighty-one days. This means being a legislator in Nigeria is a full-time job. Nigerian legislators can therefore be referred to as ‘career politicians’ and the legislature itself can be said to be a ‘professionalised legislature’. Moncrief in his research showed that the proportion of legislators who remained in Parliament for up to twelve years was clearly related to professionalization of the legislature.<sup>546</sup> A number of legislators in Nigeria have stayed for more than twelve years as legislators in the same chambers of Parliament. Clearly, this incentive structure is put in place to encourage better representation, but whether that is what is actually happening is another question.

It is worth noting that, with regards to their political ambition, term limited legislators and those that are not term limited have been found to have similar career plans.<sup>547</sup> Term limit does not necessarily prevent them from wanting political career. Herrick and Thomas in their examination of legislators in fifteen states found that term limited legislators had higher levels of progressive ambition than others.<sup>548</sup> Also, Powell is of the view that legislators in term limited states were more likely to seek a higher office because they do not stand the risk of

---

<sup>544</sup> Malcolm E Jewel & Samuel C Patterson, ‘The Legislative Process in the United States, 3<sup>rd</sup>ed (New York Random House) (1977) 117.

<sup>545</sup> Helen M Ingram, Nancy K Laney, John R McCain, *The Policy Approach to Political Representation*, John Hopkins University Press, Baltimore London (1980) 40.

<sup>546</sup> Moncrief, Gary, Joel Thompson, Michael Haddon and Robert Hoyer, *For Whom the Bell Tolls: Term Limits and State Legislatures*, *Legislative Studies Quarterly* (1992) 17, 37-47.

<sup>547</sup> Moncief G.F, L. W. Powell & T. Storey, *Composition of Legislature pp 22-37 in the case of Term Limit: Institutional Change in American Politics* Eds, K. T. Kurtz, B. Cain and R. G Neimi, Ann University of Michigan Press (2007) 23.

<sup>548</sup> Herrick R & S. Thomas, *Do Term Limits make a Difference, Ambition and Motivation among U.S State Legislators*, *American Political Research* 33, 726-47, (2005) 730.

losing a career as they are limited in their term so the cost for such legislators is low as against those who may risk losing their careers while trying to bid for a higher office.<sup>549</sup>

Alternatively, if attention is focused on how legislators are able to represent in the different consecutive terms in office, one would see that there is a trend. A general comparison done to identify the effects of term limits in the first and second term in office. The impression given here was that, legislators tend to be more responsive in their first term than in the second and may be, subsequent terms in office. This could be because, in their initial term, they feel a need to payback their constituents and when they become more grounded in their second tenure, they feel secure and less vulnerable and this acts as a disincentive to be responsive.

Overall, term limits has been seen as one of the most significant institutional feature that affects modern legislatures. It has changed legislators' own role orientation and behaviour and it has also been found to have far reaching consequences for the political system.<sup>550</sup> The impact of term limit on legislators is greatly determined by the restrictiveness of the term limit itself. It is ideally advocated so that legislators can pay more attention to the broader needs of the society and less to the particularized needs of constituents.<sup>551</sup> This indeed weakens the links between the legislators and their constituents as less effort is put on constituency issues. This invariably means that, even the citizens would have less time to become familiar with their representatives and as a result fail to interact with them. Moreover, if legislators are to master the act of legislative procedures both within and outside the legislative assembly, they would need more time on their job. It takes time to acquire certain skills needed to be an effective legislator. With term limits in place, legislators would be removed from office just when they have developed the working knowledge of how the legislature operates.<sup>552</sup> The loss of this 'institutional knowledge' about what actions were taken before on a particular issue would no doubt impact on their efficiency and this would not give them the chance to be skilled at their jobs. Also, if they hold their office for only a short term, they might want to rely on short term solutions in solving problem which might have negative consequences in the future.<sup>553</sup>

---

<sup>549</sup> Powell R J, *The Impact of term Limit on the Candidacy decision of State Legislators in U.S House Elections*, *Legislative Studies Quarterly* (2000) 25 645-61.

<sup>550</sup> *Constituents Attention and Interest* (n 36) 49.

<sup>551</sup> *Ibid* 53.

<sup>552</sup> Herrick (n 518) 18.

<sup>553</sup> Herrick (n 518) 18.

Viewed in these terms, the impact of term limit on representation has not been positive all round. Reducing the time legislators are in office, may be seen as what can enhance accountability, but it would be counter-productive if it weakens legislators and diminishes their ability to represent their constituents. If constituents are allowed to make the ultimate decision, during election, they are capable of identifying those that represent their interests and keep them in office and vote out those who have failed to do so.

#### **6.4 Resource Availability**

One important feature that enhances the capacity of legislators to be effective and be able to represent constituents properly is the level of resources available to them. This has made states that can afford it to undergo numerous reforms that help enhance their legislator's work. This has to do with a whole variety of things ranging from better pay, employing professional staff, streamlining their procedures, democratising their processes, enhancing their ethics and even reducing possible conflicts of interests.<sup>554</sup> This enhances legislator's capacity because they are given structures that help them to be stronger, competitive and more effective in discharging their function.<sup>555</sup> This increased capacity to represent requires money, time and expertise. Legislators with such resources available to them have been found to be more likely to engage in services and act on behalf of constituents.<sup>556</sup> The resources available to them make it possible for them to engage more in their legislative activities. Jewel agrees with this and states thus:

*How a legislator represents his district depends to a large extent on the resources at his disposal... However eager he may be to maintain communication with his district, the legislator with a large number of constituents cannot answer many letters without a secretary and cannot send out many newsletters without the postal frank. The legislator with professional staff members can deal more effectively with constituency service request, especially if he can afford to locate staff members in the district office.<sup>557</sup>*

In support of this view, Parker observes that, the reason the amount of time legislators spend in their district over the years increased was because of the travel allotment given to them.<sup>558</sup> In other words, the availability of resources make legislators more professional and

---

<sup>554</sup> Rosenthal A., *Legislative Life: People Process and Performance in the State* New York: Hamper and Row (1981) 3.

<sup>555</sup> Alan Rosenthal, *State of State Legislatures: An Overview*, 1195, [www.hofstralawreview.org](http://www.hofstralawreview.org) .

<sup>556</sup> Helen M Ingram, Nancy K Laney, John R McCain, *The Policy Approach to Political Representation*, John Hopkins University Press, Baltimore London (1980) 42.

<sup>557</sup> Jewel, *Representation in State Legislatures* (n 195) 9.

<sup>558</sup> Parker G. R. *Sources of Change in Congressional District Attentiveness*, *American Journal of Political Science*, 24(1), 115-124 (1980) 118.

professionalism has been found to result in a higher level of congruence between constituents' opinion and legislators' behaviour.<sup>559</sup> This may be because with the resources of professional staff and funds available to them they are able to engage more with constituents as more contacts were reported from the legislators to their constituents.<sup>560</sup> Since legislators can identify themselves as professional legislators, they are more likely to identify with constituents and be sensitive to them. They do more case work and focus more on providing services to their constituents. This is an indication that, the resources available to them, places them in a better position to be independent of the executive and other external bodies that may influence their decisions and work for constituents' interests.<sup>561</sup> Their staff size has been hypothesised to impact positively on their service activities because as a result of this, greater attention can be paid to constituents.<sup>562</sup> It has, however, been shown that legislators can also decrease their personal efforts as a result of this very fact. This might be because they may feel that, their staff, if large enough, can handle the service request on their behalf, thereby relinquishing their duty to constituents.<sup>563</sup> This goes to show that more resources offer legislators more power to do their job. Larger salaries also motivates them and allows the position to be taken as a career. The overall effect of this is that, representation is enhanced as legislators are now provided the means with which they can dedicate themselves to representing their constituents better.<sup>564</sup>

Research has found that, prior to the professionalism of the legislature, a lot of legislators tend to retire voluntarily because of the low pay.<sup>565</sup> However, with this new reform, legislators with full time incomes can work full time at being legislators and not look for any other job. They depend on their legislative position as a means of livelihood and this consequently tends to increase their re-election concerns and their desire to work for constituents in order to be returned into office.<sup>566</sup> Certainly, it is reasonable to suppose that the availability of resources will also affect the kind of people that would be attracted to become legislators. People who see themselves as professional politicians are likely to be attracted.

---

<sup>559</sup> Squire P and K E Hamm, 101 Chambers: Congress State Legislators and the Feature of Legislative Studies, Columbus Ohio State University Press (2005) 95.

<sup>560</sup> Squire P, Professionalization and Public Opinion of State legislatures Journal of Politics 55, 479-91, (1993)

<sup>561</sup> Herrick (n 518) 11.

<sup>562</sup> Rosenthal Alen, The Legislative Institution, In Transition and at Risk in Carl E Van Horn, ed The State of the States 2<sup>nd</sup>ed Washington Dc Congressional Quarterly Press. (1993) 128-129.

<sup>563</sup> Freeman Patricia K and Lilliard E Richardson, Case Work in State Legislatures, State and Local Government Review 26, 21-26 (1994) 24.

<sup>564</sup> Herrick (n 518) 11.

<sup>565</sup> Rosenthal A, The Decline of Representative Democracy, Process, Participation and Power in state Legislature Washington DC; CQ Press (1998) 59-60.

<sup>566</sup> Rosenthal A. Legislative Life. People, Process and Performance in the States New York Harper and Row (1981) 58 -59.

As professionals with greater capacity and resources available to them, they may feel qualified to hold a trustee orientation.<sup>567</sup> They are also likely to have unique political ambition that may be static or progressive. Maestas is of the view that those resources that lead to internal career opportunities can make the legislators have a static ambition while those that expose them to the public might lead to a progressive ambition.<sup>568</sup> However, in order to keep their careers, they may need to focus on district's interests and are not likely to have discrete ambition. Professionalization can be an incentive to represent the interests of constituents and it can also increase electoral security. By increasing legislator's interests in re-election and providing them with resources that can be used to increase their capacities, their vulnerability is reduced.<sup>569</sup> It would seem that, this security would weaken their sensitivity towards constituents, on the other hand it can be seen as the effect of being responsive. They become less vulnerable because they are responsive as such less fearful of losing a re-election because they tend to have the confidence of their constituents. They have this confidence because they are in contact with constituents and tend to know to some extent their standing with them. The fact that they enjoy this insulation from defeat can be attributed to how they have been able to engage in their job as legislators.

Some may argue that legislators do not differ in their ability to represent merely because they have more resources available to them. However, the fact that having more resources makes them more professional cannot be denied. As Jewell puts it, the extent of professionalism is critical to the opportunity and resources that the representatives have to perform their task.<sup>570</sup> The opportunities they have to use different channels in making decisions on behalf of their constituents is what will enable them to represent those interests well.

Although, the availability of resources is crucial to the success of the representative, one cannot help but state that, the emphasis on resources may also make the representatives to lose their focus. This is because, to exist and present themselves to voters, politicians need funds and when these funds come from special interest, they are usually in exchange for favours.<sup>571</sup> These exchanges of political contributions tend to have effect on the activities of the representative

---

<sup>567</sup> Herrick (n 518) 12.

<sup>568</sup> Maestas C. Professional Legislatures and Ambitious Politicians, *Policy Responsiveness of State Institutions Legislative Studies Quarterly*, 25, 663-90 (2000) 665-66.

<sup>569</sup> Carey J. M., R. G. Neimi and L. W. Powell, Incumbency and the Probability of Re-election in State Legislative Races, *Journal of Politics* 62:671-700 (2000) 680.

<sup>570</sup> Malcolm E Jewell and Samuel C Patterson, *The Legislative Process in the United States*, 3rd ed, (New York Random House (1977) 115-120.

<sup>571</sup> Adam Przeworski, Susan C. Stokes, Bernard Manin, *Democracy, Accountability and Representation*, Cambridge University Press (1999) 35.

and create a situation where politicians deviate from their promises to voters and end up serving their personal interests or the interests of their benefactors. However, with effective structures in place this can be checked and legislators who have discrete ambition can be checked out of the system.

From the above analysis, it is clear that the Jeffersonian argument that civic duty should be an incentive that predominates over material rewards may not resonate with many legislators today especially with the Nigerian Legislators. Politics in Nigeria is generally seen as a means to an end and a great majority of the legislators seek legislative positions as a result of the huge financial benefit that comes with being a legislator. Generally, in Nigeria, legislators are well paid. They have their own offices and are provided with personal secretaries and salaries for other political aides to assist them in carrying out their function. Provision is also made for them to have constituency offices. Conversely, some of them chose not to have constituency offices and carry out their business in odd places, such as their homes. One would expect that the amount of resources available to them would make a difference in the way they represent as it is obvious that, the resources at their disposal would assist them critically and impact on issues like constituency communication and overall representation of community interest.

In addition to the resources made available to them, experience and familiarity with the legislative acts may be crucial for the effectiveness of legislators. The implication of how well they are able to translate preferences into actions that would be responsive to constituents' interests can also be determined by the procedure they follow in making decisions on behalf of constituents and their success at the job. If one looks critically at how decisions are made by the Nigerian legislators one might be tempted to come to the conclusion that they are not professional because, in the course of their activities, especially those outside the assembly, they do not follow an institutionalised predictable pattern. Most of their decisions are made by their own initiative of what they perceive is good for their constituents as there are no guidelines that influence these decisions. They exercise their powers especially in the allocation of resources in their various constituencies in the implementation of the CDF policy independently rather than follow laid down procedures and expectations. Most of the legislators have never been involved with such issues and are completely inexperienced in taking constituency cues in the allocation of projects in their constituencies. In such situations, legislators may very likely be motivated by self-interest and the unfettered pursuit of individual



goals may result in outcomes which are obviously inferior to other attainable possibilities.<sup>572</sup> Despite the resources that may be available to them, all these issues have implications on how they are able to function effectively and represent constituents' interests. Nonetheless, as they derive a strong sense of personal satisfaction from holding their offices they may attend to constituency issues just because they want to be re-elected.

## **6.5 Strength of Leadership**

The manner in which the leadership in a legislative assembly is shaped by the institution also has its effects on representation. This is because it is central to the legislative process. Alan Rosenthal describes the legislative leadership as the fulcrum on which much of the legislative work hinges.<sup>573</sup> Strong leadership is associated with strong and effective legislature, while weak leadership is likely to create a weak legislative institution.<sup>574</sup> However, it can also be argued that, the same strong leadership can be a central impetus for the lack of responsiveness to constituents on the part of the legislators as against the legislature as a body. According to Herrick, good strong legislative leadership can no doubt yield a more efficient law-making process, but this would ultimately give the legislators less time to engage in their non-law-making responsibilities.<sup>575</sup> There is no doubt that in such a situation, the process of consensus building may be more efficient. Also, the deliberative and law-making processes may be vibrant. However, this might affect their other roles, like their individual responsibility to their constituents.

Consequently, it can be said that, though this institutional feature may not affect the shared experiences of the legislators, it might not give them a leeway to identify with specific issues affecting their particular constituency and focus on it. For instance, the norms and rules in legislative chambers with strong committee may affect member's ability to work on a particular set of issues that may be of serious concern to their constituency. Based on this reasoning, a more flexible leadership might be more likely to give the legislators the opportunity to further the particular interests of those they have particular responsibility to represent.

---

<sup>572</sup> Helen M. Ingram, Nancy K. Laney and John R. McCain, A Policy Approach to Representation, Lessons from the Four Corners States, *The Journal of Politics*, Vol 44(2) (1982) 611.

<sup>573</sup> Rosenthal Alan, *Heavy Lifting the Job of the American Legislature*, Washington DC: CQ Press (2004) 209.

<sup>574</sup> Kurtz, Bruce & Neimi, (n 529) 55.

<sup>575</sup> Herrick (n 518) 83.

With regards to their orientation, legislators may have different orientation, perhaps that which is more constituency focused, but this may change depending on their experiences in the house and the legislative design of seniority and leadership under which they find themselves. Such unique orientation may have to be downplayed in order to accommodate the general mood of the legislature. Therefore, in advocating for more district focus representative leadership, flexible leadership and committee systems with less stringent rules is what will give the legislators the incentive to be more responsive to constituents' interests. This would allow them more time to focus on different types of activities and undertake responsibilities that would benefit their constituents. It may be argued that this trend of decentralization might affect the effectiveness of the leadership in terms of control and management of the house as it would make them weaker in their relations with the executive. The emphasis here is not to reduce their position of influence and their relevance in the political system with the overall balance of power. Rather, what is advocated is for the leadership to be such that it would not alter the incentive structure, so that members might be able to work for and represent the interests of their constituents.

The apparent mixed effect of the strength of leadership is that it has also been found that legislators in states with strong leadership appear to be more secure and this should decrease responsiveness.<sup>576</sup> For the most part, leaders in legislative assemblies in carrying out their responsibilities in the institutional management tend to place high proprieties in ensuring the security of their members. They get involved in campaign activities of their members and they remain influential in ensuring that there is high turnover in terms of the members that return after every election. Under such leadership members may seem secure, but the extent to which such leadership may insulate a member that constituents want removed is highly improbable.

The leadership in the political parties is another aspect that needs to be considered. The political parties are meant to provide leadership and direction for their members. The performance of their members who hold political positions, to a very large extent depends on the internal and external structures that have been put in place to ensure that their policies are implemented. Unlike the legislative leadership that may be a bit flexible, the party leadership has to be strong for their policies to be effectively implemented. Ironically, it has been argued that, when parties become weaker, legislators tend to turn to the constituency for support.<sup>577</sup> This state of

---

<sup>576</sup> Herrick (n 518) 75.

<sup>577</sup> Eric M Uslaner, *Casework and Institutional Design: Redeeming Promises in the Promise Land*, *Legislative Studies Quarterly* X I Feb (1985) 36.

disintegration can foster a sense of constituency among the members. In the United States, for example, it has been argued that the re-election imperative is what drives the legislators away from policy making to focus on seeking institutional powers towards case work.<sup>578</sup> In such situations, the focus tends to be on the member's constituency. This can be true for less competitive electoral systems where the Member of Parliament may seem to be the only connection between the people and the unresponsive bureaucracy.

The party system in Nigeria can be best described as weak. It is characterised mainly by instability, fragmentation and a lack of clear ideology.<sup>579</sup> The impact of this weakness in relation to the activities of legislators can be seen in terms of a lack of guidance in the way members decide to implement the policies and objectives of the party. Without proper guidance, there is no way the policies of the party can be implemented effectively. This can only be made possible where a strong party is in existence. The party as a democratic institution has a responsibility to ensure that personal interest does not override the collective good. So, while legislators deal with their respective constituencies, there is need for them to take decisions following and abiding by those party objectives which ultimately would be to the interests of the people. Although some of these institutional features have real effect on the way the representatives represent, they tend not to be consistent. There is no doubt that leadership influence, both of personalities and the party, can either limit and exacerbate legislator's activities. The institutional qualities and differences play a role in determining the effectiveness of representation.

## **6.6 Rules Governing Election**

As observed by Giovanni Sartori, electoral systems are the most specific manipulative instruments in any political system.<sup>580</sup> The point of electoral laws is that, it would be the creator and the regulation of the means of translating the popular choice of the people into a representative government. This conception of electoral law has as its underpinning, an aspiration that it serves to legitimise the exercise of state powers. Therefore, the detailed mechanism of its regulation is what will determine the success or failure of any system of representation that is built upon it. There are several aspects of the electoral system that would

---

<sup>578</sup> Ibid 37.

<sup>579</sup> Samuel Oni, *The Legislature and Constituency Representation in the Fourth Republic of Nigeria's Democratic Governance* Ife Psychol 1A 21(2) Sept (2013) 238.

<sup>580</sup> Giovanni Sartori, *Politics, Ideology and Belief System* (1968) 273.

not be discussed here though they have consequences and important implications for representation. This research will rather focus on certain rules that govern the election itself and its implication on the representative process. The general principles that govern the relationship between the representatives and their constituents should be contained in these rules. In considering the rules governing elections, the focus would be on whether such rules place emphasis on the rights of the citizens and the responsibility of the representatives towards their constituents? Does it ensure the accountability of the representatives? How far does it go to ensure that representatives stay within the confines of what is stipulated?

In response to these questions, several recent reforms are seen designed into electoral systems that are thought to increase the vulnerability of the incumbent in some jurisdictions. It is argued that this vulnerability can enhance representation by increasing the responsiveness of the representatives to their constituents.<sup>581</sup> Since a key function of election is to ensure that legislators are responsive to those who elected them, it is assumed that legislators who are vulnerable will work to improve their relationship with their constituents in order to be returned to office. Such legislators would be particularly concerned about keeping their jobs and they are likely to be more responsive to constituents.

Generally, laws that affect the ease with which candidates can run for office have been shown to have mixed effects on legislators' incentive. Such laws make it difficult for new candidates by increasing incumbent security, decrease progressive ambition as well as increase district related orientation. It may also decrease the legislator's capacity to represent because candidates will be more focused on campaign activities rather than representation activities.<sup>582</sup> Nonetheless, it needs to be stated that if laws which ought to regulate the performance of legislators in office allow them to get away with shabby representation, then such laws are not for the benefit of society. Laws which give very little opportunity to voters to remove and replace those who fail to work in their interests, does not benefit constituents. For example, the rule of recalling a representative under the Nigerian electoral system is almost impossible to enforce. Section 116 of the Electoral Act 2010 provides for a petition to be signed by half of the persons registered to vote in that member's constituency alleging loss of confidence in the member. Also, their signatures must be verified by the Independent National Electoral Commission (INEC) before it can be approved in a referendum by a simple majority of those

---

<sup>581</sup> Herrick (n 518) 25.

<sup>582</sup> Ibid p.13.

registered to vote in that constituency. Such impractical laws leave the people powerless with no choice but to wait for the term of such a representative to end. Thus, it is seen that the institutional design not only make it impossible for constituents to sanction erring representatives, the courts as well most times reject suits from citizens against the government for their lack of performance.

Laws that govern election finance may have either a positive or negative effect on how the legislator when elected represents constituents. While spending limits may tend to enhance accountability, legislators who have no limit in the amount of contribution they receive during election tend to spend their time recouping or paying back contributors to the campaign and in the process lose focus on the majority of the constituents who may not have contributed financially to their elections. This invariably decreases the incentive to represent. Some states for this reason, have gone ahead to regulate not only how much can be contributed but also who may contribute to an election campaign and this includes individuals, parties political action committees, corporations and unions.

Although, the effect of spending limits on presumed incentive would suggest greater accountability, it might likely have the negative effect of making the election more difficult and result in less activity on behalf of constituents. Considering that modern democracies see elections as the means through which citizens express their preferences,<sup>583</sup> such rules that give the citizens the capacity to sanction representatives that deviate from their electoral promises or more generally from the preferences of the citizens is what will create in the representatives the need to be more responsive. This has to do with the extent of citizens' control or lack of it over the representatives and their actions in a political system. It implies the capacity to reward or punish and not only the capacity to listen.<sup>584</sup>

Since political representation is evaluated in terms of its capacity to aggregate interests and efficiency in producing binding decisions that affect citizens' lives, the consensus view is that, institutional rules should enhance participation and enlarge the number of people that take part in decision making in matters that concern them. This determines where the power concentration lies. The claim connecting the rules of election and representation is that the representatives are actually elected so they can represent the peoples interests but if the people

---

<sup>583</sup> Marcus Andre Melo, *Institutional Design, Normative Political Theory, Especial 1*, (2005) 195–206 at 195.

<sup>584</sup> Przeworski, Stokes & Manin *Democracy, Accountability and Representation* (n 571) 35.

are not able to elect those that they want to represent them and participation is not widespread then the representatives may not be able to act in the interest of constituents. In essence, the type of representation is what is relevant here. This is because politicians have goals, interests and values of their own. Once elected, they may decide to pursue their private goals or some other objective that may differ from those of their constituents. Where such motivations are present, they tend to do things that do not really represent the interest of their constituents. In order for this not to happen, there is need for the rules that govern election to be open and transparent and for the citizens to have sufficient information to be able to evaluate their representatives.

However, situations may arise where the representatives may deviate from the preference of their constituents because they believe they are acting in their best interest.<sup>585</sup> This also impacts on constituents' belief as they feel that such representatives act below their expectation. However, if such decisions make them to be sufficiently better off, there may be no reason for the constituents to complain. This impunity however comes with its own reputational considerations as adhering to promises is actually an investment in credibility, a virtue that most politicians tend to be struggling with in the world today. These reputational mechanism goes a long way to encourage representatives to be more responsive and adhere to the interests of constituents as the institutional design in most democratic systems as observed by Manin do not compel politicians to abide by their promises.<sup>586</sup>

The view taken here does not support the narrow view of the accountability theorists who see accountability as the mere responsiveness to the preferences of the represented and attention to their wishes without allowing the idea of representation to serve as a guide or standard for their action. In such situations, their conduct is irrelevant to representation.<sup>587</sup> Such narrow view in the opinion of Pitkin, does not tell us whether a representative has represented well or not. What is upheld here is how accountability is shaped in a crucial way by the institutional design. Therefore, the extent to which the electoral rules make it possible for the citizens to hold the representatives accountable determines how they are able to represent their preferred interest. Thus, it becomes clear that political representation has the challenging responsibility to uphold the highest standards of ethics, transparency, accountability, efficiency and essentially

---

<sup>585</sup> Przeworski, Stokes & Manin Democracy, Accountability and Representation (n 571) 37.

<sup>586</sup> Manin, The Principles of Representative Government (n 44).

<sup>587</sup> Pitkin, The Concept of Representation (n 11) 113.

leadership by example which should serve as a spring board for a corrupt free and democratic society.<sup>588</sup> Consistently, evidence is found that indicates that legislators fail to meet up to this responsibility. This is due to the persistent flaws in the overall institutional arrangement. These inefficiencies are sometimes based on concepts and instruments that are rooted in normative assumptions that frequently are not consistent with the general design of the country's constitution. A typical example of this is corruption. This has been a major challenge for the legislature as the representative of the people in Nigeria.<sup>589</sup> Federal and state Assembly members in Nigeria, have not been free from allegations of corruption in their activities and the legislative process as a whole.<sup>590</sup> As an institution which is supposed to foster accountability through scrutiny and administration, they have failed and are rather perpetrators of inordinate and corrupt practices.

This raises the question, why there are no institutional mechanisms capable of enforcing these representational ideals? In answering this question one can see that historically democratic systems hardly contains mechanism that ensure that the choices of citizens would be respected.<sup>591</sup> The reason advanced has always been that, citizens may be ignorant of policy issues and therefore they need to give the government some latitude to govern. Presumably, they are to use the period of election to evaluate government actions and either return them to office or punish erring ones.

Since democratic societies do not habitually bind representatives to adhere to their promises or even the preferences of those they represent, what needs to be in place is that, the institutional design must allow for changes in the circumstances so that there can be some guidance on how representative activities are carried out. Representatives may still be induced to represent if they have the awareness that they have to account to the citizens. This accountability representation occurs in two situations. Firstly, voters retain the incumbent only when the incumbent acts in their interests and secondly, when the incumbent chooses policies or in taking decisions act in a manner that is necessary to get re-elected.<sup>592</sup> Also, there is need for the institutional design to make it possible that constituents get the needed information to enable

---

<sup>588</sup> Mohammed A. Abdulrasheed, *Legislative Corruption and the Challenge of Democratic Sustenance in Nigeria 1999-2007* in Aina Ayandiji Daniels, *Corruption and Challenge of Human Development 2007* Ilshah: School of Management and Social Sciences Babcock University 121-130.

<sup>589</sup> Oni (n 579) 238.

<sup>590</sup> Abdulrasheed (n 588) 7.

<sup>591</sup> Przeworski, Stokes & Manin *Democracy, Accountability and Representation* (n 571) 40.

<sup>592</sup> *Ibid* (n 571) 40 emphasis mine.

them to hold their representatives accountable. This includes empowering the opposition who would serve as agents and help in giving this information to the citizens. They are agents because they want to be in government. For this to happen, they need that retrospective judgement against the incumbent during elections. This serves as an incentive for them to monitor and inform the constituents on the performance of the government. Here information plays a major role as constituents are able to know and reflect on the actions of their representatives in various issue areas.

There is no doubt that these enabling features can enhance the system of representation in any given society. However, all democracies are not the same, some systems foster representation more than others. While we might have some knowledge about how some of the inherent designs in the institution might affect representative behaviour, there is little knowledge about how these features might make the constituents to have a bit of control so that they can point out responsibility where there has been lack of representation and hold such representatives to account. This is the real problem in Nigeria, as the choice of deciding who becomes a representative is not left to the voters alone to decide. They are bound to choose from candidates put before them. This situation does not work in favour of the voters. If they can credibly employ their votes to sanction the incumbent, this might induce representatives to act well in the future.<sup>593</sup>

## **6.7 How Institutional Design Can Preserve Citizen's Interests**

The discussion in the preceding section has shown the ways in which various features affect the legislator's incentive to represent. These effects are mainly due to their vulnerability, ambition and role orientation. Emphasis has been on those that tend to increase incentive by providing arrangements that would enable the wishes of citizens to be considered. This is because the interest of citizens is what should be of priority in any democratic system. Consequently, in analysing the connection between what citizens want and what the representatives do, it is important to assess the success of the institutional design in achieving the inclusiveness of citizens and the extent to which they are able to contribute and have a say in matters that affect them. Theorists have argued that unless modes of engagement are carefully designed, there is a real danger that citizens especially the marginalised people will be neglected. Young argues that a mechanism for the effective recognition and representation

---

<sup>593</sup> Ibid 45.



of the diverse voices and perspectives of those constituent group should be put in place.<sup>594</sup> Features that brings about closer relationship between the representatives and the constituents would be better at including citizens preferences, while those that create more gap between them is less likely to create a congruence between what the citizens want and what the representatives do. Also, when the institutional design upholds policies that are opposed to citizen's preferences, it does not help representation but the extent to which it makes the representatives to be committed to their constituencies is what would enhance their responsiveness to them.

Thus, institutional design that creates incentives for those involved to show behaviours that are consistent with meeting the expectation of the people is what is needed. The dynamics through which citizens develop relatively stable expectations also need to be emphasized and this is mainly through information that they receive. Miller suggests that three conditions affect accessibility of information and these are *frequency*, *salience* and *familiarity*.<sup>595</sup> This means the frequency of the legislators contact with the sub constituents, the importance of the sub constituency and the familiarity with them increases the likelihood that the legislator would think about constituents when making decisions. In the absence of this, it is difficult to come up with an evaluation of representational congruence. The quality of representation would arguably deteriorate and this may affect the entire political system.

The ideal of effective representation where citizens' preferences are considered can only be realised when the institutional design enables citizens to make their contributions on decisions that are made and implemented on their behalf. Goodin qualifies this by stating that democratic institution ought to embed the 'all affected' principle.<sup>596</sup> This is what will bring about institutional efficiency. To get constituents contributions, legislators do not have to passively wait for constituents to come to them, rather they are to use the advantage of the proximity that the small size constituency offers to reach out to constituents, educating them about their activities and getting their inputs about how they want to be represented. Without this communication, the legislator has no way of knowing constituency needs and preferences which will invariably lead to misrepresentation.

---

<sup>594</sup> Iris Marion Young, *Justice and Politics of Difference*, Princeton University Press (1990) 184.

<sup>595</sup> K C Miler, *The View from the Hill: Legislative perception of the District*, *Legislative Studied Quaterly*, 32(4) 597-628 (2007) 602.

<sup>596</sup> Robert E. Goodin, *Enfranchising All Affected Interests and its Alternative*, *Philosophy Public Affairs*, Vol 35 Issue 1, winter (2007) 40-68.

Most of these suggestions might seem theoretical because in actual practice, they are rarely realised. Many institutional features are designed to encourage representation where accountability is devalued. This is best exemplified in systems where the representatives are thought to know it all and must be allowed to take decisions without citizen's input. Apart from this fact, other social and economic problems entangled with the institutional design tend to reinforce lack of representation. This is the situation in Nigeria, where the political divisions coincide with economic and social ones and the citizens are highly segregated into interpersonal networks. In such a situation, the difficulty of the representatives in getting the preferences of the citizen can be appreciated. The possibility of separatism that exist among the people may not also allow the representatives to identify the preference of the people. The next section looks at how institutional features would affect time spent on constituency work. Those features that would make legislators spend more time on their constituency are adjudged to be those that would preserve citizens' interest and make them represent better.

### **6.8 Explaining Variations of Institutional Effect on Time Spent on Substantive Representation**

So far, the measure of representation has been based on how it acts in the interests of those represented. An appropriate indicator of legislator's commitment to act on citizens behalf can be determined by how much time they spend on engaging in such activity. Since time is a limited resource, the extent to which the institutional design allows them to engage in constituency activity is important, hence the need to look at each feature to predict its effect.

Firstly, the size of the district has been shown to have effect on the time spent on constituency activity. On one hand principles that help create districts with shared commitments such as the single member districts (SMD) found in Nigeria should make it easier for legislators to know their district and want to engage more with them. This form of districting principles has been found to increase their district orientation. However, it is also argued that since this district is easier to know, it may decrease the need legislators have to stay in contact and as such feel less need to work at spending more time on constituency activities. This could be associated with the fact that such districting principles make them less vulnerable. Although, such legislators may also have surprisingly progressive ambition, it is expected that this feature should increase their incentive to spend more time on constituency activities.

It has been shown that longer terms in office are expected to increase legislator's incentive and thus make them spend more time working for their district. This is due to their re-election concerns to ensure they are returned to office. A distinction must however be made between the kind of activities they are engage in during the time spent with constituents. Those contacts which is for representational purpose rather than election purpose is what determines the success in substantive representation. This form of contact is what can achieve policy goals.

Also, the idea that legislators with resources spend more time engaging in constituency activity has been advanced. Parker in his research finds that the reason the amount of time legislators spent in their district increased over the years was because of congressional travel allotment.<sup>597</sup> Maestas is also of the view that professionalised legislators have spent more time monitoring constituents' opinion because they have resources to do so.<sup>598</sup> Resources such as staff, office budget and being full time legislators can be seen to enable them to spend more time with constituents and to represent them better. Other features such as strength of leadership and electoral rules seem to have mixed effect on representation as a whole. However, rules that make re-election difficult have been found to increase time spent on constituency issues. Time spent with constituents makes representatives more visible to constituents and thus enable them get their votes.

Based on the above, I expect the following features to increase the time legislators spend on constituency activities: small district size, no term limits and availability of resources. The effect of strength of leadership and rules governing elections are more ambiguous. In examining these effects, the respondents described in Chapter 4 were asked how these features affected the time legislators spent engaging in constituency activities. When answering these questions, the respondents were given an option of 1-5, 5 indicating more time and 1 indicating less time. The same options were given to both the legislators and the constituents to indicate how much time they think these features allowed for constituency activity. Their mean responses were taken on the 5-point scale and table 6.1 reports the finding.

---

<sup>597</sup> Parker G. R. Sources of Change in Congressional District Attentiveness, *American Journal of Political Science*, 24(1), 115-124 (1980) 118.

<sup>598</sup> Cherie D Maestas, Professional Legislature and Ambitious Politicians, Policy Responsiveness of State Institutions, *Legislative Studies Quarterly*, 25 (4) 633 Nov 2003.

**Q** *In your opinion, how does the following features affect the time legislators spend on constituency activity?*

**Table 6.1** How Constitutional Design affect Time Spent on Constituency Activities

<b>Variable features</b>	<b>Time spent on constituency activity (Legislators opinion)</b>	<b>Time spent on constituency activity (Constituents opinion)</b>
Small district size	4.4	4.7
Unlimited term in office	4.3	4.5
Resource availability	4.5	2.1
Strong leadership	3.2	3.0
Tough rules on elections	2.5	4.2

The finding shows that both parties agree to the fact that small district size and unlimited term serve as an incentive for legislators to spend more time engaging in constituency work. In line with the earlier literature, this could be due to dyadic relationship that is found in such districts. Resources have been argued to have the greatest effect on substantive representation but here the results seem to show that there is a significant disagreement with the views of both parties. The 1.2 gap between both views may not necessarily be due to the importance of this particular feature, but it is mainly due to the lack of accountability for the use of these resources when placed at the disposal of the representatives. Constituents may not necessarily disagree with the effect of this feature in creating an incentive for constituency activity because resources on its own may suffice to encourage representatives spending time on constituency work, but they may feel that the lack of accountability makes the representatives behave otherwise.

Consistent with the idea that strong leadership has a negative impact on time spent engaging in constituency work, both views indicate that this particular feature would not serve as an incentive. Strong leadership may make them stay in chambers more affecting their focus on constituency work. Tough rules on election seem to create the most discrepancy in the views of both parties. While legislators did not like tough rules on elections, constituents thought tough rules might make them spend more time on constituency work. Most constituents indicated 4 on the 5-point scale with the mean of 4.6 compared to the legislators' 2.5. Using the same body of literature cited earlier, it would make sense to assume that this discrepancy suggests a preference for institutional reforms that would hold legislators more accountable. This shows a sign of dissatisfaction in the existing structure and that citizens are beginning to

act in ways that indicate they want changes in the institution so that it could put representatives under greater scrutiny and control. Overall it is seen that institutional features determine how substantive representation can be achieved. Engaging in substantive representation which is the constituency aspect of the legislator's work is an established culture of any representative system. However, its success depends increasingly on those features in the institutional design that may enhance it.

## **6.9 Conclusion**

This chapter tried to examine how the different variations in “institutional design” from which the legislators act serves as an incentive or a hindrance for them to represent constituents. It is expected that by affecting legislators' ability and incentive to engage in certain actions the institution is likely to affect their representational style. The aim is to show that the political institutions in which the representatives operate are important political phenomena in determining how they represent. It assumes that institutions influence the actions of the legislators and although other social factors might affect the legislative behaviour, the argument here is that the institution matters and it allows for these other forces that may come into play in legislative behaviour.

Five main features were singled out in this analysis; (i) the size of the constituency (ii) term limits (iii) resource availability (iv) strength of leadership and (v) election rules. Whereas some features particularly those related to professionalism and those that provide resources that enable legislators to engage more with constituents were shown to create an incentive to represent, others, particularly the electoral features were shown to have conflicting effects on their responsiveness and ability to represent. A summary of how each of these features affects representation is presented below.

The features that were thought to affect dyadic relationship which is the one on one relationship between the representative and constituents were analysed. The size of the district or its magnitude was expected to affect the closeness of this relationship. Small district is expected to build tighter relationship between the representative and their constituents.<sup>599</sup> The Single Member District (SMD) design is expected to enhance this closeness. Constituents are expected to feel more connected with their representatives as they are more likely to know each other on

---

<sup>599</sup> Herrick (n 518) 143.

a personal basis as a result of the small size. On the other hand, in the Multi Member Districts (MMD), constituents may not feel that same connection as there may be more than one representative and a larger group of people to represent. Since there are more constituents to be reached and more areas to cover, they were not as visible as members from the small districts.

Members in small size constituencies were shown to be more secure due to their relationship with constituents and they tend to guide this relationship and this serves as an incentive for them to represent those constituents. According to Jewel, the single member districts make the legislator to be more directly responsible to the constituents.<sup>600</sup> This fact may make the representatives to be more sensitive to the demands of constituents. Also, due to this closeness they are shown to have a static ambition but never a discrete ambition. On the whole it was shown that, the form of districting clearly affects the focus of representation. Dyadic relationship is the critical link in a representative democracy and it is bound to increase the odds that representatives serve the interests of constituents.

The length of term in office was also shown to affect legislative representation. The main argument was that, this feature would allow more people to serve in the legislature and it would enhance accountability. The representatives would face constituents more frequently giving them the chance to reward or punish legislators according to how they have served them. However, it was shown that, this feature has its implication on how the representative represents. Term limited legislators were shown to engage in deliberative style and better at legislative decisions than with activities relating to their constituents. They are likely to be trustees and pay more attention to broader interests than those of their constituents. This feature makes legislators less sensitive to constituents and their preferences as re-election is not their focus. Legislators with no term limits were shown to have more time to develop the expertise and knowledge of their constituents to be able to serve them better. Since term limits tends to weaken the links between the representatives and their constituents it is seen to diminish their ability to represent.

The third feature that affects representation is the availability of resources. These are deliberate reforms that are meant to increase the capacity of the legislator by making them more professional in their job. This includes giving legislators full time salaries in order to make

---

<sup>600</sup> Jewell M. E, Representation in State Legislators (n 195) 120.

them full time politicians, giving them offices and staff in order to enhance their work and meet their obligation to constituents. Resource availability was shown to have a positive effect on representational activities. Full time salaries made them focus on their jobs at representing constituents and not look for other jobs while the staff enabled them to connect more and keep in touch with their constituents. Although, these effects were sometimes mixed and weak, especially in the case of Nigeria. On the whole, providing legislators with greater resources seems to increase their activities on behalf of constituents. It was shown that, professional reform changes legislator's relationship with constituents, having the resources to represent is important as it increases their commitments to constituents and the level of their representation.

The strength of leadership of the legislative assembly was also shown to have an effect on representation. While strong leadership is said to give the legislators less time to engage with their constituents as a result of the focus on law making and deliberative aspects of the job, weaker and more flexible leadership might give them more opportunity to further particular interests of constituents as they may have more time to do this. Although this feature was found to have some inconsistent results, in the sense that it did not affect factors that were thought to affect legislator's incentives to engage in representative activities, it was shown that it does affect their vulnerability. It was argued that weakness in the leadership, especially party leadership, tends to foster a sense of constituency among the representatives even though this is mainly for electoral gains.

Finally, the rules governing elections were analysed and found to be the most manipulative instrument in legislator's behaviour. The extent to which those rules enhance accountability and make the incumbent vulnerable determines the extent to which they can be responsive and able to represent. Also, important is how these laws regulate the ease with which they run for office. These laws can either impact negatively or positively in the focus of the representative. While spending limits increase accountability, contribution limits would decrease the incentive for the legislators to be sensitive to constituents. A key aspect that is thought to enhance representation are those rules that enhance citizen participation in decision making. Rules that uphold standards of ethics, transparency, accountability and efficiency are seen as what would ensure the interests of constituents is considered.

In conclusion, the ways in which the different design characteristics in the institution affects how the representatives are responsive and represent the interest of their constituents has been

considered. Each of these designs have their strengths and weaknesses in the manner in which they influence the representatives to be responsive to constituents. By recognising their influences, it is possible to reinforce those that strengthen representation and diminish those that do not. As Seward rightly puts it, in considering the possibilities of democracy, attention should be paid to those devices that singly or collectively enact and define democratic principles in ways which offer a richer evocation of those principles.<sup>601</sup>

Peters notes that the problem with institutionalism is the ‘paradox of constraint’ that affects it. Since it is created by individuals, there is a difficulty in realising whether the institutions affect the individual’s behaviour or whether it is the individuals that affect the institutions.<sup>602</sup> In considering this, one has to be objective in realising that the different ways that we arrange our political affairs have different implications for the realisation of representation. This is why the institutional theory is important. It articulates the feasible constraints that are inherent in any democratic system rather than looking at such principles in the abstract. If attention is given to the institutional expression of these principles then it can be of help in guiding political judgements and actions. Shapiro argues that speculation about what ought to be is likely to be more useful when informed by relevant knowledge of what is feasible.<sup>603</sup>

While recognising the importance of the broader institutional architecture that can be inherent in a federal system like what obtains in Nigeria, the approach here is less ambitious as it only considers the effects of these five combinations. Consequently, some important aspects of the federal system fall out of the scope of this discussion and they may also have important consequences for representation in Nigeria. Thus, in considering the barriers to representation in Nigeria, it is worth noting that the structural and institutional design though endogenous may not account for all or even most of the problem of lack of representation.

Although, the perspective here is that legislators have to try to work on behalf of their constituents, this process of representation must be created and re-created through a political process of dynamic activity<sup>604</sup> and be structured by the institutions in any given society. The efficacy of representation is largely dependent on the ethical and cultural factors that are

---

<sup>601</sup> Ian Seward, *The State of Democratic Theory*, Princeton University Press (2003) 170.

<sup>602</sup> Peters B G 1996 *Political Institution Old and New*, 205- 20, in *A New Handbook of Political Science* Ed, R. E. Gooding & H. D Klinggermann, New York Oxford University Press.

<sup>603</sup> Seward (n 601) 2.

<sup>604</sup> Carl J. Friedrich, *Man and His Government: An Empirical Theory of Politics* (New York McGraw Book Company (1963) 273.



inherent in the institutional design that structure the process of representation, with the expectation that it will generally guide the activities within its system. Therefore, before legislators can claim that they represent constituents, it is important that they have in place the right features in the institutional setting that would enable them do so.



## **CHAPTER SEVEN**

### **FINAL CONCLUSIONS**

#### **7.1 Introduction**

Puzzled by the nature of representation in Nigeria, this thesis has demonstrated that the approach whereby legislators act without considering the interests of constituents results in lack of effective representation. Exploring the activities of the legislators, the thesis has analysed some of the problems with representation and assessed the extent to which good representation can be achieved. The aim has been to increase our understanding of what it means for legislators to represent constituents and to identify ways of reducing or perhaps overcoming the barriers of poor representation in the Nigerian political system. In doing this, the research briefly sketches a brief outline of some of the problem plaguing representation and why legislators are unable to achieve this ideal. The reasons for this failure is addressed thematically in each of the chapters. This chapter makes an overview of the whole thesis and analyses the collective findings that proves the hypothesis. The concluding discussion as well as an assessment of how future research can be built on these findings is also discussed here. The thesis contributes empirically and theoretically to our understanding of how representatives represent their constituencies in Nigeria.

#### **7.2 Outline of Research**

In Chapter one, having analysed the concept of representation both historically and in the Nigerian context, the thesis went on to evaluate models of representation. Three models of representation were analysed (delegate model, trustee model and the responsible party model). Unlike the delegate view where representatives act on the instructions of their constituents, the trustee view sees representatives as relying on their own initiative. The responsible party model on the other hand posits that representatives in acting for constituents will always pursue the programmes of the party under whose banner they were elected. The delegate theory seems to align itself more to the argument of this research as representatives are thought to act in accordance with the wishes of their constituents thereby taking their interests into consideration. This model led to the theorising of representation in this thesis in line with the view of Pitkin which sums up representation as “acting in the interests of the represented in a manner responsive to them”.<sup>605</sup> Thus a framework of interest articulation and responsiveness is adopted and used as a theme throughout the thesis.

---

<sup>605</sup> Pitkin, ‘The Concept of Representation (n 11) 209.

Through the analysis it surfaced that the type of representation that legislators offered to citizens is partly a function of their perception of their own role orientation. Most legislators tend to think they are representing citizens just by the mere fact that they have been elected into positions. This formal authorization<sup>606</sup> as advocated by Hobbes might be the start of the representative relationship, but it certainly does not show that the legislator is acting in the interest of constituents. This view only tells us a part of the story because formal authority alone cannot be coextensive with representation. In the analysis, other definitions were given of what it means to represent. These were the symbolic, descriptive and substantive views of representation. However, it was shown that among these definitions, what seems to capture the very act of representing is the substantive acts of the representatives. The representative must be able to act because action is required for them to represent the interests of their constituents. This suggests that, action of the legislators is an important point through which their representative capability can be assessed.

Thus, a deeper understanding of the concept is had when there is a link between the formal authorisation, the symbolism aspects, the descriptive meaning and the substantive acts of the representative. In this way, the concept is redefined as an activity which is performed properly when it is able to articulate the interests of constituents and be responsive to their preferences. The substantive acts of representatives become a practical way in which representation can be measured because their deliberate acts are involved. This was made clear in the analysis. The argument is that, political conception of representation requires representatives who derive their legitimacy of being in office from the people through elections, to advance the policy preferences of their constituents (provided, that policy preference is lawful).<sup>607</sup> Therefore, good representation is that which reflects the presence of the sovereign citizens in the form of not just their political actions on Election Day, but their judgement that transcends the actual manifestation of their electoral will. This is what allows us to recognise the energetic function of representation and enables citizens to hold their representatives accountable.

Nevertheless, in the evaluation of representation in Nigeria, it was shown that, the approach taken by legislators where citizens are uninformed about matters that concern their welfare in

---

<sup>606</sup> Hannah Pitkin, 'Hobbes, Concept of Representation II', American Political Science Association, (1964) 914 [www.jstor.org](http://www.jstor.org) accessed 17<sup>th</sup> August 2015.

<sup>607</sup> Dovi, The Good Representative (n 3) p. 1.

the constituency and decisions are taken without due consultation with them to get their preferences cannot be in their overall interest. Such representation that is not in the interest of citizens cannot be effective representation. The requirement for effective representation is for representatives to have some kind of relationship with their constituents where there can be continuous interaction and communication between both parties. Representation is thus seen as not just a single enterprise, but as having many unique actions and collaborations between representatives and constituents. It could involve working on policies, being visible or working on an individual's problem. Legislators may vary in the degree to which they may be active in each of these forms of representation. One thing that is certain however is that, they are not put in office for themselves. They are there to act on behalf of the people and represent their interests. They can only be said to represent if this function is carried out effectively.

The thesis went further to analysed ways that representatives can be made to be more effective in representing. The rule of law, ethics and responsibility was brought to play as what can guide representatives to effective representation. The extent to which they are able to abide by those man-made rules and higher rules coupled with the positive cues that they get from the society will determine how well they are able to represent their constituents. Incidentally, what is considered as representation in Nigeria seems to be rooted in a deep misconception of what the representative role should be. In the prevailing representative system, legislators do not seem to act in the interests of the people or the nation. Rather, it is a system for the pursuit of the few interests of the elites in the society. This conclusion is reached after examining the actions and how decisions are made on behalf of constituents. An evaluation of key legislative action and decision making in the implementation of the CDF reveals that they were tainted with political patronage and self-service. The CDF which is a government initiative which ordinarily should serve as an incentive for legislators to represent their constituency interests by acting on their behalf in particular constituency development projects was found to be flawed. Evidence in Chapter 4 shows that the implementation of this policy has been without constituents making their input or taking part in any form of decision making. Constituents are not informed about what projects to be allocated in their constituency district or how these projects are being implemented. This has hugely led to the failure of this initiative to meet its policy goals which is to meet the development gap in the rural constituencies in Nigeria. This ultimately results in a lack of representation of constituents' interests.

The inability to articulate the interests of constituents on the part of the representative coupled with the inability of the constituents to hold the representatives accountable is seen mainly to

be the main cause of the lack of effective representation in Nigeria. This brings us to one of the major barriers of representation which was identified as lack of participation. Participation is a process through which people influence and share control over development initiatives, decisions and resources which affect them. The argument for citizen participation often rests on the belief that where citizens are engaged, formulated policies might be more realistically grounded in citizens preferences.<sup>608</sup> This is not reflected in democratic representation in Nigeria. Political representation in Nigeria is rather closed. The people are only told what the politicians think they should hear. There is no transparency about policies and citizens lack the information that would empower them to hold representatives accountable. For effective representation to be achieved, people need to understand the value of their participation and shoulder the responsibility of holding government officials to account. This can only be done when they are provided with information and education and allowed to participate fully in decisions that affect them. Failure to do this means, they will continue to be short-changed and any representation following would not be in their interest.

Although the empirical research made it clear that there was dissatisfaction from the citizens, on the existing form of representation, constituents seemed to be indifferent. This is due to the lack of information and understanding on their part. They do not know what to expect from their representatives and this tends to make them powerless and unable to hold them to account. It was also shown that though some kind of contact may be found between the legislators and the constituents, there was no information given to the constituents as to the use of the CDF policy initiative to provide development in their constituency. The legislators believe that as elected officers, their actions must be accepted by the constituents and in this perception, they fail to meet constituency needs. This can be seen in the lack of concurrence between legislative actions and constituency needs in the constituency districts. People's choices are not reflected in the development policies and the result is that development projects provided under the CDF are not far reaching and mostly they are of no use to the constituents. This is not in the interest of constituents and a legislator that provides such a project fails to represent their constituency in that regard.

Furthermore, in determining why representatives fail to represent, one key factor is the institutional design under which the representation might be taking place. Having in mind that

---

<sup>608</sup> Renee A Irvin, John Stansbury, Citizen Participation in Decision Making: Is it Worth the Effort, Public Administration Review Jan/Feb 2004, 61,1; ABI/INFORM, Global p. 55.

representation can only be properly theorised and evaluated when the opportunities and constraints of the legislators are taken into consideration. Certain institutional features were discussed that could enhance or serve as hindrance to effective representation. They features are the size of constituency, term limits, availability of resources, strength of leadership and electoral rules. Since the primary justification for a democratic political system is to provide arrangements that would enable the interests of citizens to prevail, institutional design that upholds the interests of citizens is apparently seen as not a luxury but a necessity to complete a transition to a consolidated democracy.<sup>609</sup>

In line with the above, the literature makes it clear that the size of constituency district and the resources available to the legislator play the most positive role in making the representative excel in their work.<sup>610</sup> However, in evaluating the extent to which these factors enable legislators to represent effectively in Nigeria, it was found that, although the legislators operated from single member constituencies which were reasonably small and should ordinarily serve as a basis for them to have closer contact with their constituents, there was still a remarkable distance in the relationship between the representatives and the constituents. Legislators were not relating with constituents the way they should. In fact, some constituents from the interview stated that, they do not see their representatives until it is time for election when they come to rally for their votes. This raises the question as to how a representative can represent a constituency he or she does not see. The answer to this is not farfetched, representation in Nigeria is not for the interest of the represented, but for the few political class and their interests.

Analysing the effect of the availability of resources, legislators in Nigeria were also shown to be empowered financially. From the case study, we see that allocations are given to every member for use in their constituency. Availability of resources has been shown to have an important positive incentive to motivate legislators to represent better.<sup>611</sup> However, the normative lessons learnt from this thesis is that, if there are weaknesses in the system in monitoring the activities of legislators, this incentive can have an adverse effect. This is apparent in the discussion on accountability.

---

<sup>609</sup> Hellman Joel S. 1998 "Winners Take All: The Politics of Partial Reform in Post-Communist Transition" *World Politics* 50, 203- 234 at 210.

<sup>610</sup> Malcolm E. Jewell, *Representation in State Legislators* (n 195); Rebekah L. Herrick, *Representation and Institutional Design*, Lexington Books (2011).

<sup>611</sup> Alen Rosenthal, *State of the State Legislature: An Overview*, [www.hofstralawreview.org](http://www.hofstralawreview.org) 1189.

### 7.3 Findings in Relation to Hypothesis

This section analyses further the findings of this research and critically proves the hypothesis stated in the introduction that: for representation to be effective, legislators must act in a manner responsive to the preferred interests of constituents. The first aspect in proving this hypothesis is that, it brings to the fore representation as an activity which the representatives must do on behalf of their constituents. In analysing this activity, the question that is raised is whether the approach taken by legislators in Nigeria while acting on behalf of constituents provides evidence that their interests is being taken into consideration.

In answer to the above question, perceptions of legislators and constituents were analysed and a comparison of both views as revealed in Chapter 4 was that the type of representation provided was not grounded in citizens interests. Political writers have attested to the fact that the practice of being a representative and the act of representation is not a straightforward matter.<sup>612</sup> This may be the case in the Nigerian political system because on a casual look, it may seem as if representation is taking place. This could also be because after the military dispensation and the reinstating of democracy in the country in 1999, there has been successive election every four years both at the national and state level to choose candidates who will represent their people. Unfortunately, on a closer look, both theoretically and practically what is seen in the jurisdiction is far from representation of the interests of the people. The perception of the different stakeholders reveals that, the legislators mostly do what they want without consulting with their constituents. They mainly believe that they are elected to take decisions on behalf of the people and as a result of this, the constituents' preferences are not reflected. This conception of representation strongly reaffirms the notion of lack of representation.

The social culture that builds the attitude of the representatives and the constituents alike and the lack of knowledge of what it means to represent works against the establishment of good representation in the country. The perception of representatives has been shown to affect their behaviours and this mainly affects their attitude to representation of constituents. Most representatives tend to have developed a patron type relationship with their constituents and they do not believe in the participation of the people. They do not relate with the people except

---

<sup>612</sup> Scott Brenton, Representative Roles and Responsibilities, Parliament of Australia (2015) p.1 [www.aph.gov.au](http://www.aph.gov.au).



during elections when they come to canvass for their votes. They tend to see the constituents as people whose judgements they cannot trust, and they sometimes see them as rivals of their own progress. On the part of the constituents, it was also seen that there is that distrust of the representatives. However, what seems frustrating is the attitude and culture of accepting everything the representatives do without question. This goes to show that the people are not aware of their rights.

It was also found that the peoples' choices are not reflected in the development programmes because of the distance between elected leaders and the mass of the people and decisions made are often marred with corrupt practices. This happens to be the case when there is no accountability in representation. This research has indicated that people need to be involved in the full circle of decision making that affects them and be fully empowered before development initiatives like the CDF can be used as an effective tool to represent their interests. This implies that people should be involved in the selecting, planning and monitoring of these projects and this is how a model of democratic representation which takes the interests of the people into consideration can be achieved.

This form of participation seems to be absent in Nigeria. The closest that can be seen of people's participation is a one-off Town Hall meeting in rare instances and this is only among a few political loyalties. This goes to show that the representatives are not clear about continuous people participation. They tend to think that participation should be confined to a specific stage. Even the few that attend the town hall meetings were seen not to be informed about the activities of the legislators. Where constituents are not consulted, legislators have no way of knowing what their preferences would be and as such they may not be able to act in their interests. This was evident in the CDF projects that were allocated in communities. It was found that the constituents had no idea of the programme and legislators did what they thought would serve the needs of the people without consulting with them. The result was that some of these projects were not tackling the pressing needs of the people that they want government to address. With continuous participation representative would be more informed of constituency needs and avoid the allocation of scarce resources on irrelevant projects that do not meet constituency needs. Representatives would also inform constituents about their activities and this would not only help in bridging the gaps but also but also make them more responsive to constituents' interests. Blom defines representation as an accountable aggregation of

interests.<sup>613</sup> This means that, the role of the legislators is not just confined to what they do in Parliament, their roles and responsibilities which are done outside the parliament play important part in determining how well they represent. Therefore, their activities on behalf of constituents is a focus through which their representative capacities can be recognised. It is this activity or conception of representation that can serve as a measure of the individual legislator's capabilities and not what they do in conjunction with others while in Parliament.

Another key finding in this research is that institutional features that were ordinarily supposed to help representatives in their jobs in other jurisdictions seem to have adverse effect in Nigeria. Although there is scarcity of research in this area, from the few available literatures, it was made clear that variations in institutional design can affect many aspects of how legislators represent their constituents. Legislators with staff and those that have other resources tend to engage more with constituents.<sup>614</sup> These legislators tend to have greater capacity and due to their professionalism, they have more incentive to represent well. A critical look at the Nigerian system reveals that, even though the legislators are empowered with resources as is the case with the CDF, due to the lack of checks and accountability, the legislators fail to use this policy for the proper representation of constituents' interests. Like other jurisdictions, findings also indicate that shorter term limits weaken relationships between legislators and constituents. However, electoral laws, and district size have limited effects.

Overall, the contention here is that the very nature of representation in Nigeria tells us that the interests of the constituents are not taken into consideration. The prevailing system of representation in any jurisdiction is shaped by its advocates who are themselves formed by the political contexts and priorities. The Nigerian political system has a long way to go in eliciting the right behaviours from representatives in the discharge of their duties. Effective citizen representation can be achieved when representatives are seen to act, and in that activity, get citizens involved, allowing them to have a say in what affects them. It is only when this is in place that it can be said that they are responsive to the interests of citizens or their interest is considered.

---

<sup>613</sup> H R Blom, 'Ethos and Interests, Argument for a Representational Differentiation in a Changing Society, in H W Blom, WP Blockmans and H de Schepper (ed) (1992) p. 149.

<sup>614</sup> Henrick, (n 518).

#### **7.4 Implications**

The finding in this research has important implications for the nature of politics in Nigeria. Political representation testifies to the fact that although democracy can be explained in terms of rules of the game, safeguarding constituents' interest is not a neutral part of those rules. It completes the process by promoting the views and identifying with the represented. While this view might seem to defy certain cognitive theoretical approaches to democratic principles, it cannot be denied that democratic representation is much more than simple electoral procedures. It requires representatives having a proper understanding that the success of their positions relies on their connection with citizens to get their views and be informed of their interests so that they can represent them better. It also demands an ethical culture of citizenship that enables both the representatives and the represented to see their political relationships as not antagonistic and the advocacy not as an unconditional promotion of sectarian interest against the welfare of the whole. Thus political in the context of representation entails a complex process of unifying and connecting citizens by projecting them as stakeholders. It is also primed to keep representatives in a perpetual motion where they continue to act on citizens' behalf, but this action is not without accountability.

This view of political representation however seems to be problematic in the Nigerian political system. This is because it can hardly be rendered in terms of the representatives actually knowing what constituents want or actually doing what is in the interest of constituents. The result of this is that people's expectations and their representatives actions never tend to correspond. It is a common thing to see that political actors evade their responsibility to their constituents. This is due to the lack of accountability and monitoring in the system to ensure that political actors are responsible for their actions or inactions. A system that does not imbibe this accountability regime to limit some of the corrupt practices of politicians can only serve as an instrument of oppression to the people. If mechanisms are not in place to ensure that representatives actually represent the interests of those who elected them, it would result in the alienation and exclusion of constituents. The effect of this would be the development of cynicism and apathy amongst members of the public or at the very worst the breakdown of the political system. This damage can have a long-lasting consequence on the people.

Given the evidence that we have found in this research of the damaging effect of failure to hold representative accountable, the CDF policy can be said not to be meeting the purpose for which

it was established. But the imperfections and doubts in the process may be corrected if serious attention is given to the activities of legislators by condemning and punishing those who circumvent the system for their own personal gains. The value of this would be that they would become conscious of their activities and that they are being watched and this would account for better representation.

## **7.5 Recommendation**

In line with this research the following recommendations are made:

- That Whistle-Blower Protection Bill be passed by Parliament that would enable citizen report incidences of corruption that they see in their constituency districts. It would also go a long way to check the activities of those who should represent the interests of the people.
- That the Constituency Development Fund Bill be passed into Law with provisions to punish implementers who go contrary to its provisions.
- That a system of monitoring and evaluation be put in place for each project implemented to ensure they are completed.
- That an impact assessment of the projects already sited be done in order to ensure they are in line with and meeting the needs of the constituency district where they are sited.

## **7.6 Future Research**

This analysis has made a modest contribution to our understanding of how representatives represent constituents in Nigeria. What needs to be explored is how the lack of representation by the individual legislator affects the legitimacy of the Parliament as a whole and how the activity of legislators affects how the parliament is perceived vis-a-vis other arms of government. Secondly, a function of acting as development agents has gradually become a part of parliamentary function. This has great potential, but as shown in this research, it may be corruptly used to the advantage of a few at the expense of the constituents. There is need to evaluate the role of legislators in the implementation of projects and social development initiative in Africa. A comparative study of their operation in various African countries that implement the CDF would give a necessary insight into how they can be positioned as instruments to bring about lasting development in the continent, rather than a means of futher

plunging their citizens into poverty and widening the gap in the society through the distribution scarce resources in the hands of a few political elites.

Furthermore, research into the effective interaction between representatives and interest groups is needed. What is seen in some jurisdictions is that parliamentary lobbying by interest groups has become a pronounced feature in the political landscape. This is because these groups have the collective capacity to lobby representatives and to bring benefit to members which individual constituents may not be able to do. They are influential in interest formation and act as useful filters to the different information of the people. As the population continues to grow it becomes too large for the representatives to deal with individual constituents, so encouraging the creation and institutionalisation of such groups should be seen as a way forward in articulating the interests of the people. Given that the activities of these groups are so minimal in Nigeria, there is need to encourage their existence as they help in providing a full understanding of the working of a political system.

## **7.7 Conclusion**

In this thesis, representation has been portrayed in a more nuanced way than is assumed by legislators in Nigeria with a very important aspect having to do with their activities on behalf of constituents. The lack of effective representation suggests that legislators need more knowledge to equip them in the performance of this important function. Constituents necessarily need to scale up their expectations of their representatives and be ready to hold them accountable for their actions. This is necessary to enhance democracy in Nigeria and would be beneficial to the political system as a whole.

Generally, representatives and constituents have been shown to have limited understanding of what it actually means to represent in the political sense and this could be attributed to the fact that not much attention has been given to representation as an activity. The review of scholarly work confirms that representation as an activity has never received any serious consideration. This is not because its importance is not acknowledged, but it may partly be due to the fact that it borders on individual behaviour which may present its complexities on examination. However, in determining the reason for their being in office, the sole purpose is to represent the interests of constituents and to act on their behalf. As such it is necessary that their actions

be continuously held up to scrutiny to ensure that they uphold and preserve the standards of democracy.

Mechanisms which encourage legislators to see their time in office as a period of service to the constituents and not a time to enrich themselves are advocated to be put in place. In line with this, the normative values of accountability and responsibility were established in this thesis. This means that the representative must always have reason for what they do and such reasons must be guided by citizens' preferences. They must be willing to give account to their constituents for their actions and inform them of decisions they make on their behalf. This brings to the fore the fundamental elements of citizen participation that would enable actions and decisions of representatives to be grounded in citizens preferences. Liberal democratic theory advocates that representatives are meant to reflect the political values of their citizens and their popular preferences should control the direction of their actions and policies.<sup>615</sup> These are elements that should always be attributed to any representative action, so it has the effects of keeping a check on legislator's activities.

Where these are not enforced in a system, then morally preferable ways in which representatives can achieve their goals of a particular case of representation is what is advocated. To do this, norms are introduced into representative activities and societal values come to play a role in the way representatives represent. This is done in a bid to differentiate between proper representations of citizens interests from representation that just has to do with the mere fact that a person has won the elections and occupying the office of a representative. Representation therefore does not just happen because a person is in office, underlining this concept is the fact that legislators have an obligation to act for constituents and be accountable to them. This is a direct way to measure how well they represent constituents' interests.

---

<sup>615</sup> Christopher H. Achen, Measuring Representation: Perils of the Correlation Coefficient, *American Journal of Political Science*, XXI, 4 November 1977. P. 805.



## **BIBLIOGRAPHY**

- Abdulrasheed M A, Legislative Corruption and the Challenge of Democratic Sustenance in Nigeria 1999-2007 in Aina Ayandiji Daniels, Corruption and Challenge of Human Development Ilisan: School of Management and Social Sciences Babcock University 121-130 (2007).
- Achen C H, Measuring Representation, American Journal of Political Science Vol 22 NO 3 (Aug 1978).
- Ahmed A, Marternal and Child Deaths: A Battle Gombe State is not Winning, The Guardian August 18 (2017).
- Aleshire R A, Power to the People: Assessment of the Community Action and Model Cities Experience, Public Administration Review 32, 428-442 (1972).
- Ankersmit F R, Aesthetic Politics, Political Philosophy, Beyond Facts and Value, Stanford University Press (1996).
- Ankersmit F R, Political Representation, Stanford University Press (2002).
- Arnstein, S R, A Ladder of Citizen Participation, Journal of the American Institute of Planners 35(3) 216-24 (1969).
- Ashworth S and Bueno Mesquita E, Delivering the Goods, Legislative Particularism in Different Electoral and Institutional Settings, The Journal of Politics 68(1) (2006).
- Baldez L, "Elected Bodies: The gender Quota Law for Legislative Candidates in Mexico", Legislative Studies Quarterly 29 May 231, (2004).
- Barnes, Samuel H, Representation in Italy: Institutionalized Tradition and Electoral Choice, Chicago: University of Chicago Press (1977).
- Barber B, Strong Democracy, Berkeley, CA, University of California Press (1984).
- Bartels L M, Clinton J and Geer J D, Representation for Oxford Handbook of American Political Development, working paper 03 (2013).
- Barro, R, "The Control of Politicians, an Economic Model, Public Choice 14, 19-42, (1973).
- Baskin M, Constituency Development Fund (CDFs) as a Tool to Decentralised Development State University of New York Centre for International development (SUNY/CID), (2010).
- Baskin M, Parliamentary Function: A Core Function, Centre for International Development, Rockefeller College University at Albany, State University of New York, (April 2013) [www.suny.edu](http://www.suny.edu).
- Besley T and Coate S, "An Economic Model of Representative Democracy", *Quarterly Journal of Economics* (1997).



Bingham L B, Nabatchi T and Oleary R, *The New Governance: Practice and Processes for Stakeholders and Citizen Participation in the Work of Government*, *Public Administration Review*, Vol 65 No 5 September/October (2005).

Blom H R, 'Ethos and Interests, Argument for a Representational Differentiation in a Changing Society', in H W Blom, WP Blockmans and H de Schepper (ed) (1992).

Bowman J, "The Ethical Professional: Cultivating Scruples" In West and Berman, (2006).

Box R C, *Citizen Governance Leading American Communities into the 21<sup>st</sup> Century* Thousand Oaks, CA: Sage, (1998).

Brenton S, 'Representative Role and Responsibilities', Parliament of Australia (2015) [www.aph.gov.au](http://www.aph.gov.au)).

Burke E, *Burke's Politics* Eds, Ross J Hoffman and Paul Levack, New York (1949).

Buchanan J, *The Collected Works of James N Buchanan*, Vol. 4, *Public Finance in Democratic Process, Fiscal Institution and Individual Choice* (1967).

Cain, Ferejohn and Fiorina, *The Personal Vote, Constituency Service and Electoral Independence*, Harvard University Press (1987).

Carey J. M., R. G. Neimi and L. W. Powell, *Incumbency and the Probability of Re-election in State Legislative Races*, *Journal of Politics* 62:671-700 (2000).

Castiglione D and Warren M E, 'Rethinking Democratic Representation: Eight Theoretical Issues', Centre for the Study of Democratic Institution, University of British Columbia, (2006).

Celis K, Child S, Kantola J and Krook M L, *Rethinking Women's Substantive Representation*, *Representation*, 44,2, (2008).

Challenge M, *Constituency Development Fund Transparency in Grassroots development or Political Patronage*, [www.tilztearfund.org](http://www.tilztearfund.org).

Chamber R, *Who's Reality Counts: Putting the Last First*, Intermediate Technology Publication, IDS Discussion Paper 347(1994).

Child S and Lovenduski J (2012 Forthcoming) *Political Representation* Waylen, Goergina, Celis, Karen, Kantola, Johanna, (eds) *The Oxford handbook of Gender and Politics*. Oxford University Press (2012).

Chitere P.O, *Community Development: It's Conception and Practice with Emphasis on Africa*, Nairobi Gideon S. Were Press (1994).

Chitere O P & Ileri O N, *District Focus for Rural Development in Kenya: It's Limitation as a Decentralization and Participatory Planning Strategy and Prospects for the Future*. Nairobi Institute for Policy Analysis and Research (2004).

Christopher A H, Measuring Representation, Perils of the Correlation, American Journal of Political Science 21 (4) (1977) 810. [www.jstor.org](http://www.jstor.org)

Coleman S, A Tale of Two Houses, London: Hansard Society (2003).

Coleman S, Direct Representation: Towards a Conversational Democracy, ippr exchange (2005).

Converse P E and Pierce R, Political Representation in France, Harvard University Press (1986).

Hans Von Rautenfeld, Political Representation, new Dictionary of the History of Ideas, [www.encyclopedia.com](http://www.encyclopedia.com).

Cooper T, The Responsible Administrator 4<sup>th</sup> Edition San Francisco Jossey- Bass (1998).

Cronin C, Kant's Politics of Enlightenment, In Journal of the History of Philosophy 41(1), (2003).

Dale B and Tieslau M A, "The Impact of Fiscal Constitutions on States and Local Expenditure", Cato Journal 20(2) 255-277 (2000).

Dahl R, A Preface to Democratic Theory, Chicago, The Chicago University Press (1956).

Dahl R, Democracy and its Critics, New Heaven CT Yale University Press (1989).

Dahl R A, Democratic Dilemma: System Effectiveness versus Citizen Participation, Political Science Quarterly, Vol. 109, No.1, pp 23-34 (1994).

Darwall S L, Morality, Authority, and Law: Essays in Second-Personal Ethics I (2013).

De Winter L, Belgian MP: Between Omnipotent Parties and Disenchanted Citizens-Clients, Parliament and Citizens in Western Europe, Frank Cass London Portland Vol 3 (2002).

Dewey J. Democracy and Education New York Macmillan (1966).

Disch L, 'Towards a Mobilisation Conception of Democratic Representation', American Political Science Review, Vol 105, No1 (February 2011).

Dogora Y Why FG Must implement Constituency Project, (June 2016) 3 [www.orderpaper.ng](http://www.orderpaper.ng).

Douglass C. North, Institutions, The Journal of Economic Perspective, Vol 5, No 1, Winter pp. 97-112 (1991).

Doble P, Integrity in the Public Service, Public Administration Review 50, No 3, pp 354- 366 (1990).

Doble P, "Political Prudence and the Ethics of Leadership" In West and Berman, pp 55-68 (2006).

- Dovi S, *The Good Representative*, Wiley-Blackwell (2012).
- Downs A, *An Economic Theory of Democracy*, New York, Harpers & Raw (1957).
- Dubnick M J, *Toward an Ethical Theory of Accountable Governance* Prepared for presentation at the 2014 International Political Science Association meeting, July 19-24, (2014).
- Edgar S, *Organisational Structure and Leadership: A Dynamic View* San Francisco Jossey-Bass (1985).
- Eremenko M, 'Political Participation: Model by Verba in the EU and Russia' National Research University – Higher School of Economics, (2014) 2 [www.culturaldiplomacy.org](http://www.culturaldiplomacy.org).
- Erasmus K, *Citizen Participation in the Philadelphia Model Cities Programme: retrospect and Prospect*, *Public administration Review*, 32, 402-408 (1972).
- Esaiasson P, 'Not All Politics is Local: The Geographical Dimension of Policy Representation' in Warren E Miller et al (eds) *Policy Representation in western Democracies*, Oxford, Oxford University Press (1999).
- Eulau H, *The Role of the Representative: Some Empirical Observation on the Theory of Burke*, *American Political Science Review* LIII September, (1959).
- Eulau H & Karps P, 'The Puzzle of Representation: Specifying Components of Responsiveness', *Legislative Studies Quarterly* Vol 2, No 3 (Aug. 1977).
- Eulau H and Karps P, 'Changing Views of Representation' in *The Politics of Representation*, edited by Heinz Eulau and John C Wahlke (eds.), Beverly Hills: Sage Publication Chap 2 (1978).
- Fairlie J A, 'The Nature of Political Representation', *American Political Science Review* XXXIV (April 1940).
- Fearon J D, 'Electoral Accountability and the Control of Politicians: Selecting Good Types Versus Sanctioning Poor Performance', in Adam Przeworski, Susan C Stokes and Benard Manin (eds), *Democracy, accountability and Representation*, Cambridge, Cambridge University Press (1999).
- Fenno R F, *Home Style: House member in their Districts*, Boston Little Brown (1978)
- Friedrich C J, 'Representation and Constitutional Reform in Europe, western Political Quarterly 1(June 1946).
- Fenno R F, *US House Members in their Constituencies, An Exploration*, *American Political Science Review*, 71, pp 883-917, (1977).
- Fiorina M P, *Representatives, Roll Call and Constituents*: Toronto, Lexington Books (1974)
- Ford H, *Representative Government*, New York, 147-148 (1924).

Fowler D J, Merolla J L and Sellers A H, 'The Effects of Discriptive Representation on Political Attitudes and Behaviours', Western Political Science Association (March 2008).

Freeman P K and Richardson L E, Case Work in State Legislatures, State and Local Government Review 26, 21-26 (1994).

Friedrich C J, Man and His Government: An Empirical Theory of Politics (New York McGraw Book Company (1963).

Garofalo C and Geuras D, Ethics in the Public Sector: The Moral Mind at Work, Washington DC, Georgetown University Press (1999).

George D and Ilnszki G, Member Constituency Linkage in the Hungarian Parliament, Legislative Studies Quarterly. Vol 20 No 2 May (1995).

George W F, Restoration Congress: Term Limits and the Recovery of Deliberative Democracy, New York Free Press (1992).

Goodin R E, Enfranchising All Affected Interests and its Alternative, Philosophy Public Affairs, Vol 35 Issue 1, Winter 40-68 (2007).

Grimmer J R, Representational Style: The Central role of Communication in Representation, Doctoral dissertation, Harvard University Cambridge, Massachusetts (May 2010).

Gutmann A and Thompson D, Democracy and Disagreement, Harvard University Press (2009).

Hal R G, Understanding and Managing Public Organisation 3<sup>rd</sup>edn San Francisco Jossey Bass (2003).

Hart D K Theories of Government Related to Citizen Participation, Public Administrative Review, 32, 603-621 (1972).

Hart D, "Administration and Ethics of Virtue: In all Things Choose First for Good Character and Then for technical Expertise" In Handbook of Administrative Ethics ed. Terry Cooper 107-123 New York: Marcel Dekker, (1994).

Hampton H and Fayer S (eds) Voice of Freedom, An Oral history of the Civil Rights Movement from the 1950s through the 1980s, New York Bantam (1990).

Hellman J S. 1998 "Winners Take All: The Politics of Partial Reform in Post-Communist Transition" World Politics 50, 203- 234 (1998).

Herbert S, Working with Members of Parliament Constituency Funds, GSDRC Research Report 1094 (2014) [www.gsdr.org](http://www.gsdr.org).

Herrick R L, Representation and Institutional Design, Lexington Books (2011).

Herrick R & S. Thomas, Do Term Limits Make a Difference, Ambition and Motivation Among U.S State Legislators, *American Political Research* 33, 726-47, (2005).

Hibbing J R and J R Alford, Constituency Population and Representation in the U.S. Senate, *Legislative Studies Quarterly*, 15, 581-98 (1990).

Hoffman R J S and Levack P (eds) *Burke's Politics: selected writings and speeches of Edmund Burke on Reforms, Revolution and War*, Alfred A Knopf, New York (1949).

Holmberg S, 'Political Representation in Sweden' *Scandinavian Political Studies* 12, (1989).

Ignatieff M, *Representation and Responsibility: Ethics and Public Office*, The Tanner Lectures on Human Values delivered at Oxford University (2013).

Ingram H M, Laney N K, McCain J R, *The Policy Approach to Political Representation*, John Hopkins University Press, Baltimore London (1980).

Ingram H M, Laney N K and McCain J R, *A Policy Approach to Representation, Lessons from the Four Corners States*, *The Journal of Politics*, Vol 44(2) (1982).

Irvin R A and Stansbury J, *Citizen Participation in Decision Making: Is it Worth the Effort*, *Public Administration Review*, 61,1; ABI/INFORM, Global (Jan/Feb 2004).

Jack N, *Participation*. Englewood Cliffs, NJ: Prentice Hall (1987).

Jewell M E and Patterson S C, *The Legislative Process in the United States*, 3rd ed, (New York Random House 115-120 (1977).

Jewell M, 'Legislator-Constituency Relation and the Representative Process' *Legislative studies Quarterly*, Vol 2 No 3 (1983).

Jewell M E, *Representation in State Legislatures*, the University Press of Kentucky, (1983).

Josephson M, "The Six Pillars of Characters", In West and Berman (2006).

Judge D and Ilonszki G, *Member-Constituency Linkages in the Hungarian Parliament*, *Legislative Studies Quarterly* Vol 20 No 2 (1995).

Judy Rosener B, *Citizen Participation: Can we Measure its Effectiveness?* *Public Administration Reviews* 38(5) 457- 463 (1978).

Jun J S, *New Governance in Civil Society Changing Responsibility of Public Administration*. In *Rethinking Administrative Theory: The Challenge of the New Century*, edited by Jong S Jun 289-307, Westport CT: Praeger (2002).

Kaufman, *Administrative Decentralisation and Political Power*, *Political administrative Review* 29(1) 3-14 (1969).

Keefe P and Khemani S, When Do Legislators Pass 'Pork'? The determinants of Legislator Utilization of a Constituency Development Fund in India, Policy Research Working Paper 4929, World Bank Development Research Group Macroeconomics and Growth team (2009).

Keefe W J, 'The Function and Power of the State Legislature' in Alexander Heard edn, State Legislatures in American Politics (Eagle Wood Cliffs Prentice Hall) (1966).

Kenneth P and Heinze E, Political Matrix and Political Representation Prolegomenon to a new Departure from an old problem, American Political Science Review 63:427- 41 (1969).

Kimenyi M S, Efficiency and Efficacy of Kenya's Constituency Development Fund: Theory and Evidence, University of Connecticut (2000).

King S. K., Feltey K. M., & Susel B.O, The Question of Participation: Towards Authentic Participation in Public Administration, Public Administration Review 58(4), 317-326(1998).

Kirkpatrick E M, 1971 "Towards a more Responsible Two-Party System" Political Science, Policy Science or Pseudo Science? American Political Science Review 65 (1971).

King C, Feltey K and Susel B, The Question of Participation: Toward Authentic Public Participation in Public Administration, Public Administration Review, Vol 58 No 4 317(10) July-Aug (1998).

Klingemann Hans-Dieter, Richard I Hofferbert and Ian Budge (1994) Parties, Policies and Democracy, Boulder: Westview Press (1994).

Korten, D C, Community Organisation and Rural Development: A Learning Process Approach, Public Administration Review 40(5), 480-511 (1980).

Kousser T. Term Limits and the Dismantling of State Legislative Professionalism, New York Cambridge University Press (2005).

Koven S G, Responsible Governance: A Case Study Approach, M E Sharpe Armork, New York, London, England (2008).

Kurtz, K. T. & Cain, B. E. & Niemi, R. G, Institutional Change in American Politics: The Case of Term Limits. Ann Arbor: University of Michigan Press (2007).

Kweit M G and Kweit R, implementing Citizen Participation in a Democratic Society: A Contingency Approach, New York: Praeger (1981).

Langer S, Philosophy in a New Key, Mentor (1942).

Lapinski J S, 'The Substance of Representation', Congress American Political Development and Law-making, Princeton University Press, (2013).

Larsen J A O, Representative Government in Greek and Roman History, Berkeley: University of California Press (1955).

Loewenberg G and Patterson S C, *Comparing Legislatures*, Toronto (Little Brown and Co (1979).

Lukensmeyer C J Brigham S, *Taking Democracy to Scale: Creating a Town hall meeting for the 21<sup>st</sup> Century*, *National Civic Review* 91(4), 351-366 (2002).

Mabveka G, *Constituency Development Fund: The Case of Public Procurement Fund Adherence in Malawi* (2017).

Maestas C. *Professional Legislatures and Ambitious Politicians, Policy Responsiveness of State Institutions* *Legislative Studies Quarterly*, 25, 663-90 (2000).

Maestas C, *The Incentive to Listen: progressive Ambition, Resource and Opinion Monitoring among State Legislators* *Journal of Politics* 65, 439-57, (2003).

Manin B, *The Principles of Representative Government*, Cambridge University Press, (1997).

Mansbridge J, *Should Blacks Represent Blacks and Women Represent Women? A contingent 'Yes'* *The Journal of Politics* 61(3) 628-57 (1999).

Mansbridge J, *'Rethinking Representation'*, *The American Political Science Review*, Vol 97 No 4 (November 2003).

Mansbridge J *Adams Representation Revisited: Introduction to the Case Against Accountability, Democracy and Society* Vol 2, (2004).

Mansbridge J, *Clarifying the Concept of Representation*, *American Political Science Review*, Vol 105, No 3 (Aug 2011).

Malcolm Jewel, *'Legislator-Constituency Relation and the Representative Process'* *Legislative Studies Quarterly*, Vol 2 No 3 1983).

Maliks R, *Acting Through Others: Kant and the Exercise View of Representation*, *Harvard University, Public Reason* 1(1) 9-26 (2009).

Maravall J M, *'Accountability and Manipulation'* in Adam Przeworski, Susan C Stokes and Benard Manin (eds), *Democracy, Accountability and Representation*, Cambridge, Cambridge University Press (1999).

Martiniello M, *Political Participation, Mobilisation and Representation of Immigrants and their Offspring*, *Willy Brandt Series of Working Paper in International Migration and Ethnic Relation* 1/05 (2005).

McGarry A, *Political Participation and Interests Articulation of Roma in Romania*, *Jamie 7*, *European Center for Minority Issues* (2008).

Meek C K, *The Northern Tribes of Nigeria*, Frank Cass (1977).

Melo M A, *Institutional Design, Normative Political Theory*, *Especial* 1, 195–206 (2005).

- Michael S, 'The Representative Claim', *Contemporary Political theory* 5(3), (2006).
- Miller W and Stokes D E, Constituency Influence in Congress, *The American Political Science Review* Vol 57, Issue 1, (March 1963).
- Miler K C, The View from the Hill: Legislative perception of the District, *Legislative Studies Quarterly*, 32(4) 597-628 (2007).
- Mill J S, *Utilitarianism, Liberty and Representative Government*, J M Dent (1947).
- Moncrief G , Thompson I, Haddon M and Hoyer E, For Whom the Bell Tolls: Term Limits and State Legislatures, *Legislative Studies Quarterly* 17, 37-47 (1992).
- Moncief, Gary, Lynda W, Powell & Tim Storey, Composition of Legislature pp 22-37 in the case of Term Limit: Institutional Change in American Politics Eds, K. T. Kurtz, B. Cain and R. G Neimi, Ann University of Michigan Press (2007).
- Mwenzu E M, From Centre to Margin: An Appraisal of the Constituency Development Fund (CDF) as a Decentralisation Strategy in Kenya.
- Musa P, Ajibade O E, Local Government and Challenges of Revenue Allocation in Nigeria: A Study of Yewa South Local Government, Ogun State, *Journal of Public Administration Finance and Law*, Issue 10, (2016).
- Norton P, 'Parliament and Citizens in Western Europe', *Parliament in Contemporary Western Europe* Vol 3 (2003).
- Nussbaum Martha Aristotelian Social democracy, In Bruce Douglass and Gerald Mara (eds) *Liberalism and the Good*, New York, Routledge 203-252 (1990).
- Obayi O A, Between Man and His Institutions: Intra-Party Politics and the Future of Democracy in Nigeria, p. 16 [www.bristol.ac.uk/documents/politics/Onyishi](http://www.bristol.ac.uk/documents/politics/Onyishi).
- Omotola J S, Nigerian Parties and Political Ideology, Redeemers University, Redemption City, Mowe, Ogun State, Nigeria, *Journal of Alternative Perspectives in the Social Sciences* Vol 1, No 3 (2009).
- Oni S, 'The Legislature and Constituency Representation in the Fourth Republic of Nigeria's Democratic Governance, *Ife Psychologia* 21(2) (2013).
- Orimogunje O. O, Legislative Constituency Project in Nigeria: A Matter of Constitutionality or Political Expediency? *Journal of Law Policy and Globalisation* Vol 41 (2015) [www.iister.org](http://www.iister.org).
- Oyedele D, Bill Proposing 2.5% Statutory Allocation to Constituency Project Passes Second Reading, (June 3 2016) [www.thisdaylive.com](http://www.thisdaylive.com).
- Parker G. R. Sources of Change in Congressional District Attentiveness, *American Journal of Political Science*, 24(1), 115-124 (1980).



Pateman C, *Participation and Democratic Theory*, Cambridge, Cambridge University Press (1970).

Peters B G, *Political Institution Old and New*, 205- 20, in *A New Handbook of Political Science* Ed, R. E. Gooding & H. D Klinggermann, New York Oxford University Press. (1996).

Phillips A, *'Democracy and Representation: Or why should it matter who our representatives are? Feminism and Politics*, Oxford University Press (1994).

Phillips A, *Democracy and Difference*, Polity Press Cambridge (1993).

Phillips A, *The Politics of Presence*, Clarendon Press, Oxford (1995).

Philp M, *Political Conduct* Harvard University Press (2007).

Philp M, *Public Ethics and Political Judgements* July (2014).

Pilkington C, *Representative Democracy in Britain Today (Politics Today)*, Manchester University Press (1997).

Pitkin H, *The Concept of Representation'* University of California Press, Berkeley and Los Angeles California (1967).

Pitkin H, *'Hobbes, Concept of Representation II'*, American Political Science Association, (1964) 914 [www.jstor.org](http://www.jstor.org).

Plotke D, *Representation is Democracy*, *Constellations*, 4 (Nov 1997).

Pogge T, *Self-Continuing Constituencies to Enhance Freedom, Equality and Participation in Democratic procedures* (2002).

Powell L W, Neimi R G and Smith M, *Constituents Attention and Interest Representation in Institutional Change in American Politics: The Case of Term Limits* (2007).

Powell R J, *The Impact of term Limit on the Candidacy decision of State Legislators in U.S House Elections*, *Legislative Studies Quarterly* 25 645-61 (2000).

Przeworski A, Stokes S C, Manin B, *Democracy, Accountability and Representation*, Cambridge University Press (1999).

Rehfeld A, *'Towards a General Theory of Political Representation*, *The Journal of Politics*, Vol 62, No 1 (Feb. 2006) [www.jstor.org/stable/3449602](http://www.jstor.org/stable/3449602).

Rehfeld A, *Representation Rethought on Trustees, Delegates and Gyroscopes in the study of Political Representation and Democracy*, *American Political Science Review* Vol 103, No2 118 (2009).

Rehfeld A, *The Concept of Constituency, Political Representation, Democratic Legitimacy and Institutional Design*, Cambridge University Press, (2005).

Richard H, Participation and Purpose in Committee Decision Making, *American Political Science Review* 81, (1987).

Roberts N, Public Deliberation in an Age of Direct Citizen Participation, *American review of Public Administration*, Vol. 34 No 4, December 315-353 (2004).

Robert P, Descriptive Representation as a Mechanism to Mitigate Policy Backlash, *Latino incorporation and Welfare Policy in the American State*, *Policy Research Quarterly* 60(2), (2007).

Robert N, Public Deliberation in an Age of Direct Citizen Participation, *American Review of Public Administration* Vol 34 No 4 (2004).

Rogowski R, 'Representation in Political Theory and in Law', *Ethics* Vol 91 No 3 Symposium on the Theory and Practice of Representation (1981).

Roberts J, The Possibilities of Accountability. *Accounting, Organizations and Society* 16, no. 4: 355-368 (1991).

Rosenstone S J and Henson J M, *Mobilisation, Participation and Democracy in America*, New York Macmillan (1993).

Rosenthal A, *Legislative Life: People Process and Performance in the State* New York: Hamper and Row (1981).

Rosenthal A, State of State Legislatures: An Overview, *Hofstral Law Review*, Vol 11: Iss. 4, Article 4 (1983) [www.hofstralawreview.org](http://www.hofstralawreview.org).

Rosenthal A "The Effect of Term Limit on Legislatures: "A Comment." In *Limiting Legislative Terms* ed. Gerald Benjamin and Michael J Malbin. Washington DC: QC Press (1992).

Rosenthal A, The Legislative Institution, In *Transition and at Risk* in Carl E Van Horn, ed *The State of the States 2<sup>nd</sup>ed* Washington Dc Congressional Quarterly Press 128-129 (1993).

Rosenthal A, *The Decline of Representative Democracy, Process, Participation and Power in state Legislature* Washington DC; CQ Press 59-60 (1998).

Rosenthal A, *Heavy Lifting the Job of the American Legislature*, Washington DC: CQ Press (2004).

Rosenthal A, State of the State Legislature: An Overview, [www.hofstralawreview.org](http://www.hofstralawreview.org) 1189.

Ross W D, *Aristotle, Nicomachean Ethics*, Translated by, Batoche Books, Kitchener (1999).

Rothenberg, L. S. and M. S. Sanders, *Lame-Duck Politics, Impending Departure and the Votes on Impeachment*, *Political research Quarterly* 53: 523-36, (2000).

Ruben S, INEC: The Delineation of Electoral Districts and Constituency in Nigeria, (May 2014) [www.nigeriaworld.com](http://www.nigeriaworld.com).

Sala V D, Parliament and Citizens in Italy: A Distant Relationship, Parliament and Citizen in Western Europe, edited by Philip Norton, Frank Kass, London Portland vol 3 (2002).

Samuel O, 'The Legislature and Constituency Representation in the Forth Republic of Nigeria's Democratic Government', *Ife Psychologia* Vol 21, No 2, (2013).

Sanders L M, 'Against Deliberation', *Political Theory* 25(3), 347-376 (1997).

Sarbaugh-Thompson M, Thompson L, Elder C D, Strate J and Elling R C, *Political and Institutional Effects of Term Limits*, New York Palgrave Macmillan (2004).

Sartori G, *Politics, Ideology and Belief System*, American Political Science Association 63(2) (1969).

Saward M, *The Representative Claim*, Oxford University Press (2010).

Schier S, *By Invitation Only: The Rise of Exclusive Politics in the United States*, Pittsburgh, PA: University of Pittsburgh (2000).

Schlesinger J. A., *Ambition and Politics*, Chicago, Rand McNally (1966).

Schumpeter J A, *Capitalism, Socialism and Democracy*, Rutledge, New edn (1994).

Scott Brenton, *Representative Roles and Responsibilities*, Parliament of Australia (2015) [www.aph.gov.au](http://www.aph.gov.au).

Severs E, 'Representation as Claim-Making. Quid Responsiveness', *Representation* Vol 46 No 4 (2010).

Seward I, *The State of Democratic Theory*, Princeton University Press (2003).

Seidman A, Seidman R and Abeyesekere N, *Legislative Drafting for Democratic Social Change, A manual for Drafters*, Kluwer Law International (2001).

Shehu A T, 'Constituency Control of Legislators: lessons From Nigeria, African' *Journal of International and Comparative Law* 191,125 (2011).

Shihata I F, *The World Bank in a Changing World: Selected Essays* (1991).

Sidney V and Norman N H, *Participation in America: Political Democracy and Social Equality*, New York, Harps and Row, (1972).

Smith K, *Pork Barrel Politics: Motives and Benefits*, *Journal of Political Research*, Vol II (2001) 2 [www.creighton.edu](http://www.creighton.edu).

Smith M A, *Bringing Representation Home, State Legislators Among their Constituents*, Columbia, University of Missouri Press (2003).

Smith G, *Democratic Innovations: Designing Institutions for Citizen Participation*, Cambridge University Press (2009).

Soroka, Stuart N, *Opinion Representation and Policy Feedback Canada in Comparative Perspective*, *Canadian Journal of Political Science*, (2004).

Squire P, *Professionalization and Public Opinion of State legislatures* *Journal of Politics* 55, 479-91, (1993).

Squire P and K E Hamm, *101 Chambers: Congress State Legislators and the Feature of Legislative Studies*, Columbus Ohio State University Press (2005).

Squire J, 'The Constitutive Representation of Gender: Extra-parliamentary Representation of Gender Relations', *Representation* 44(2) (2008).

Stefanou C, *The Dynamic of the Maastricht Process*, Bruylant-Sakkoulas, Brussels-Athens (2007).

Stephen L Elkin, *Madison and After: The American Model of Political Constitution* (2006) [www.onlinelibrary.wiley.com](http://www.onlinelibrary.wiley.com).

Stivers C, *The Public Agency as Polis: Active Citizenship in the Administrative State*, *Administration and Society* 22(1) (1990).

Stimson J A, Mackuen M B and Erikson R S, *Dynamic Representation*, *American Political Science Review*, Vol 89, No 3 (1995) [www.jstor.org](http://www.jstor.org).

Stimson J A, *Public Opinions in America*, revised ed. Boulder: Westview (1999).

Stokes S, 'What do Policy Switches tell us About Democracy?' In Adam Przeworski, Susan C Stokes and Benard Manin (eds), *Democracy, Accountability and Representation*, Cambridge, Cambridge University Press. (1999).

Stocks J L, 'Philosophy', Vol 6 No 24, Cambridge University Press on behalf of Royal institute of Philosophy, Cambridge University (Oct 1931).

Tate K, 'The Political Representation of Blacks in Congress. Does it Matter?' *Legislative Studies Quarterly*, Vol 26 No4 (2001).

Tate K, *Black Faces in the Mirror: African Americans and Their Representatives*, Princeton University Press (2003).

Thompson D E, *Ethics in Congress: From Individual to Institutional Corruption*, Brooking Institution Press (1995).

Thompson D, *The Democratic Citizen*, Cambridge, UK, Cambridge University Press (1970).

Thompson D, *J. S Mill and Representative Government*, Princeton University Press (1976) [www.jstor.org](http://www.jstor.org).

Thomassen J, Empirical Research into political Representation: Failing Democracies or Failing Models? Election at Home and Abroad, Michigan University Press 237-265 (1994).

Tussman J, Obligation and the Body Politics, New York (1960).

Tshangana H, Constituency Development Fund Scoping Paper, International Budget Partnership Open Budgets Transforms Lives, January (2010).

Udefuna et al Legislative Constituency Project in Nigeria: Implication for National Development. (2013).

Urbinati Nadia, Representative Democracy: Principles and Genealogy Chicago: Chicago University Press (2006).

Urbinati N, Representation as Advocacy: A Study of Democratic Deliberation, Political Theory Vol 28 No 6 (2000).

Urbinati N, 'Political Representation as a Democratic Process' (2006) [www.jyu.fi](http://www.jyu.fi).

Urbinati N, Continuity and Rapture: The Power of Judgement in democratic Representation, constellations 12 (2005).

Uslaner E M, Casework and Institutional Design: Redeeming Promises in the Promise Land, Legislative Studies Quarterly XI Feb (1985).

Van Zyl A, What is wrong with the Constituency development Fund? International Budget Partnership Open Budget Transforms Lives (2009) [www.internationalbudget.org](http://www.internationalbudget.org).

Van Meter E C, "Citizen Participation in the Policy Management Process" Public Administration Review, Special Issue (Dec 1975).

Verba S and Nie N, 'Participation in America, Political Democracy and Social Equality', New York Harper and Row (1972).

Verba S and Nie N, Participation in America: Political Democracy and Social Equality, Chicago, The University of Chicago Press (1987).

Verba S, Scholozman K. L. & Brandy H. E. 'Voice and Equality: Civic Voluntarism in American Democracy, London, and Harvard University Press (1995).

Von Mehren P and Sawers T, Revitalising the Law and Development Movement: A case study of Titles in Thailand, 33 Henry International L J 67, 68 (1992).

Wahlke J C, Eulau H, Buchanan and Ferguson L C, The Legislative System: Exploration in Legislative Behaviour New York John Willey and stone Incorporated (1962).

Wahlke John 1971 Policy Demands and System Support, The Role of the Represented, British Journal of Political Science Vol 1 (July 1971).

Wahlke J C, *Policy Demands and System Support: The Role of the Represented* (1978).

Weber M, *The Theory of Social and Economic Organisation*, translated by A M Henderson and T Parsons, (1947).

Weber M, "Politics as Vocation," in *From Max Weber*, edited by H. H. Gerth and C. W. Mills, London: Routledge (2009).

Weissberg R, *Collective vs Dyadic Representation in Congress*, *American Political Science Review* 72 535-47 (1978).

William M, *Voice, Trust and Memory, marginalised Group and the Failing of Liberal Representation*, Princeton, NJ Princeton University Press (1998).

Wolff H J, *Organschaft and Juristische Person* Berlin (1934).

Young I M, *Inclusion and Democracy*, Oxford University Press (2000).

Young I M, *Justice and Politics of Difference*, Princeton University Press (1990).