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Administrative Law, Digital Governance and Public Procurement Implementation in Nigeria: An Institutional Perspective

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Abstract

Public procurement is one of the most important tools by which government converts policies and money into infrastructure, goods and services. The Public Procurement Act 2007 is the main piece of legislation governing procurement in Nigeria, while digital governance and reforms in the sphere of procurement have increasingly transformed the procurement process in the country. However, despite the presence of legal rules and digital technologies, there is no automatic emergence of successful procurement implementation. This paper seeks to explore the interaction between administrative law, digital governance and implementation of public procurement in Nigeria from an institutional point of view. The methodology used is qualitative conceptual analysis using an integrative approach to legislation, policy papers, institutional papers and literature. It is contended that digital governance should not just be about technological transformation but the way in which the principles of administrative legality can be internalized in the process of procurement. Institutional Theory is used to show the interaction between regulative, normative and cultural-cognitive institutions in procurement implementation. The notion of digital administrative accountability is developed in the paper, where digital administrative accountability is explained as the ability of digitised administrative systems to make decisions on procurement legal, transparent, attributable, documented and reviewable. The conclusion of the paper states that digitalisation of procurement needs law, institutions, professionalism, digitisation, open contracting and accountability mechanisms to be combined.

Keywords: Administrative Law, Digital Governance, Public Procurement, Administrative Process, Policy Implementation

Introduction

Public procurement is one of the major means by which government policies and budget decisions are implemented and realized through concrete actions in the public sector. The programmes of the government in relation to roads, schools, hospitals, agriculture, information technology, public utilities and many other public sector initiatives usually entail procurement of work, goods and services. As such, public procurement plays a very important role in the interface of public finance, public administration, public service delivery and institutional accountability. When public procurement is done effectively, public funds can be turned into public goods in a very competitive, transparent and accountable manner. When this process fails, however, the results could be ineffective spending, delayed projects, low quality services and many others.

The importance of public procurement has consequently moved beyond the narrow conception of procurement as a technical purchasing function. Contemporary public administration increasingly regards procurement as an important component of governance. The Organisation for Economic Co-operation and Development (OECD, 2015) identifies transparency, integrity, access, efficiency, accountability, risk management and professional

capacity as important elements of sound public procurement systems. Procurement is thus not merely about obtaining goods or services at an acceptable price; it is also about ensuring that public authority and public money are exercised according to established legal and administrative principles.

This is evident in the Public Procurement Act 2007 in Nigeria. The Act provided for the creation of the Bureau of Public Procurement as the primary regulatory body on procurement and put into place a legal framework to provide for the processes of planning, solicitation, evaluation, award, administration, monitoring and complaints handling for procurement. The Act expressly provides that the conduct of individuals engaged in public procurement should be guided by the following principles of honesty, accountability, transparency, fairness and equity. There are also provisions of how public procurement shall be conducted, which include advertisement, solicitation, evaluation, approval and other procurement processes (Public Procurement Act, 2007). The Bureau of Public Procurement regards itself as the regulatory body that oversees public procurement.

Indeed, this statutory framework thus provides the basis of procurement administration. However, the mere existence of laws does not necessarily mean successful implementation of such laws. It is important to recognize the distinction between law on one hand and administrative behavior on the other in Nigeria. According to Oikhala (2021), among some of the factors impacting public service efficiency in Nigeria are rule defiance, lack of professionalism, governance challenges and institutional weaknesses. What this means for procurement is that legal reform cannot be successful without proper institutions and administrative professionalism.

This particular issue is especially critical because procurement process itself includes a lot of administrative discretion. Procurement needs are determined by public officials, who also prepare specifications, conduct tendering process, participate in the evaluation process, make recommendations for awards, approve contracts and oversee contract performance. Thus, every step of this process includes decision-making with both legal and financial implications. Therefore, administrative law can be useful in this field because procurement process is the sphere of public authority exercised through procedure and affecting public and private economic entities. Oikhala (2024) supports the importance of the law in public administration in general by explaining public administration as a tool used by governments in translating public goals into action. The relevance of this view is evident in the context of procurement because procurement procedures will necessarily be applied through public administration institutions and processes. Administrative law forms the legal basis of public administration; whereas public administration forms the machinery of the law.

On the other hand, the nature of public administration is undergoing changes due to digitalisation. Information and communication technologies have become an essential part of record keeping, citizen communication, service delivery, agency coordination, and monitoring of public expenditure by governments. The Nigerian National Digital Economy Policy and Strategy (NDEPS) 2020–2030 provides the overall policy framework for digital transformation in Nigeria, identifying such pillars of development as developmental regulation, digital literacy and

skills, infrastructure, digital services, soft infrastructure, emerging technologies and indigenous content (Federal Ministry of Communications and Digital Economy, 2020).

Digitalization has also become significant in public procurement. E-procurement systems can minimize reliance on paper documentation, make procedures uniform, enhance information sharing and provide electronic audit trails. For instance, Afolabi et al. (2022) analyzed e-procurement technologies in Nigeria and found their significance in terms of procurement notification, information sharing, tendering, bidding process, contract awarding, monitoring and payment. Zakari (2024) also analyzed e-public procurement in Nigeria Ports Authority and concentrated on such aspects as accessibility, compliance enforcement, integration and competence of users.

Thus, these studies show that digital procurement is not a theoretical concept in Nigeria anymore. Digital technologies are gradually integrated into procurement management. Some more recent literature has considered these issues in the context of e-government procurement, sustainable procurement and artificial intelligence. For instance, Azage and Obazele (2025) analyze e-government procurement and sustainable procurement from an institutional perspective, whereas Adejumo et al. (2026) analyze artificial-intelligence adoption by Nigerian procurement officers from a Technology Acceptance Model-Institutional Theory perspective. These contributions are valuable; however, they point to a lack of conceptual integration. Previous studies have tended to examine issues of technology adoption, transparency, efficiency, sustainability or technology itself. The procurement law literature, however, focuses on issues of compliance and institutionalization of legal requirements. What is not sufficiently explored is the connection between administrative legality, digital governance and procurement implementation.

The significance of this paper is not to argue that e-procurement, digital governance and procurement law have not been studied in Nigeria. On the contrary, the literature in this area is increasingly abundant. However, the problem with this literature is that these three dimensions have not been sufficiently integrated into one institutional explanation of how digital governance can institutionalize administrative law principles within procurement implementation. This distinction is critical. Procurement process can be digital without being completely accountable. Information can be published through an online platform without making the decision-making process completely traceable. A computerised process can document the decision-making process without specifying the legal mandate of decision-making. Technology can automate all organizational weaknesses. Therefore, the core question here is not only whether the procurement process is becoming digitalized, but whether digitalization makes the institutional environment where such procurement decisions are made more likely to be legal, traceable, attributable and reviewable.

The paper introduces a theoretical framework called "digital administrative accountability" to analyze this problem. Digital administrative accountability is defined as the ability of digitalized public administration process to make the legal foundation, procedural order, responsibility for the decision, documentation and reviewability of the administrative action visible, traceable and disputable. This conceptualization forms the major contribution of this paper. The paper links administrative law with digital governance by shifting the focus from the adoption of technology to its institutionalization in organizations where digital governance

plays an important role not only because of increasing efficiency of technology but also because it allows incorporation of legal and administrative rules into organizational processes.

This paper is shaped by four main objectives. First, it analyzes the interrelation between administrative law and public procurement implementation in Nigeria. Second, it discusses the significance of digital governance and e-procurement for improving public procurement implementation. Third, it employs Institutional Theory to understand the interplay between law, organization routines, professional standards and technology. Finally, it builds a framework of digital administrative accountability. The contribution of the paper to research on public administration is made through the following three main aspects. First, it conceptually links the field of procurement implementation with both administrative law and digital governance. Second, it applies Institutional Theory to the institutionalization of administrative-law concepts through digital procurement systems, expanding its application beyond conformity and adoption of technologies in organizations. Third, it highlights the following five dimensions of digital administrative accountability: traceability of legal processes, traceability of processes, responsibility attribution, record integrity, transparency, and reviewability.

Conceptual and Literature Review

Public Procurement as an Administrative Process

The topic of public procurement is usually talked about in the context of economics and management since it is about acquiring goods, works and services. However, the matter of public procurement is also administrative in nature because the decision-making process in this case happens through statutory and regulative powers of the authorities. The Public Procurement Act 2007 contains the statutory framework of the decision-making process. Its principles such as integrity, accountability, transparency, equality, and equity show that procurement is supposed to happen within the framework of governance rather than commerce. Also, this act describes the procedures of public procurement such as planning, solicitation, bid evaluation, approval and award (Public Procurement Act, 2007).

Importance of the described procedures lies in the fact that they limit administrative discretion. The officers in charge of procurement are supposed to make their decisions according to the procedures and not out of personal interest or convenience. It is for this reason that administrative law may be a good means of looking at the implementation of procurement. Such elements as legality, procedural regularity, accountability and reviewability may be used to judge whether procurement power has been correctly used. This is in line with the broader notion of public administration, which is about government in action. Oikhala (2024) from the perspective of public administration contends that administration is the means by which government purposes are implemented. Procurement is one of the main administrative processes through which this is achieved.

Rule of Law and Procurement Implementation

The rule of law implies that public institutions act within certain legal confines when carrying out their mandate. In case of procurement, the rule requires public institutions to observe all the pertinent laws, regulations and procedures. However, compliance with all the legal provisions and their implementation do not always overlap. It is possible that a public

institution has the proper procurement regulations in place but its officials do not always implement them. Disrespect for rules, poor professionalism and weaknesses in institutions have been noted by Oikhala (2021) to be important factors affecting public service efficiency in Nigeria. Although he does not conduct his research on the issue of procurement, the institutional perspective of the author can help in analyzing the issue of compliance and implementation of procurement regulations. Since the process of procurement is carried out by public servants, its law relies to some extent on administrative professionalism and institutional capacity.

Digital Governance and the Transformation of Procurement Administration

The term "digital governance" can be defined as the use of digital technologies and information systems in organizing, coordinating and delivering government activities. This process goes beyond converting paper-based materials to electronic form. The OECD (2014) stresses that digital government should become a part of wider public sector reforms. Digital technologies can change the way of how the government organizes information, delivers its services, coordinates institutions and interacts with citizens. The same can be said about the NDEPS of Nigeria for 2020–2030. It focuses on such key areas as developmental regulation, digital skills, digital infrastructure, digital services and emerging technologies, thus becoming an important policy base for the digital transformation of public administration.

The process of procurement is especially appropriate for digital transformation since it includes huge amounts of information, several stages of administrative process and many different stakeholders. It is possible to combine all these aspects using a digital platform and creating electronic document of administrative process. Digital procurement can therefore contribute to:

- standardisation of procurement procedures;
- improved information management;
- electronic documentation;
- faster communication;
- improved audit trails;
- public access to procurement information;
- monitoring of procurement implementation; and
- improved coordination among procurement institutions.

Nevertheless, the effects of digitalisation depend upon institutional conditions. Technology does not operate independently of organisational structures, legal requirements and professional norms.

Electronic Procurement in Nigeria

It has become apparent from the Nigerian literature that electronic procurement is becoming an increasingly significant element of procurement reform. The paper written by Afolabi et al. (2022) analyses the use of e-procurement systems in Nigerian public procurement and proves that there is a need for the application of digital means in several stages of procurement. The significance of this research lies in the idea that digitalisation may go further than procurement advertisement and cover such stages as tendering, evaluation, award,

monitoring and payment. Also, in relation to the Nigeria Ports Authority, Zakari (2024) brings out the problems of access, compliance enforcement, integration and user competences.

In their study on e-government procurement and sustainable procurement, Azage and Obazele (2025) adopt an institutional perspective to the topic under discussion. The contribution of the two scholars is especially relevant to the current research in the sense that it supports the hypothesis that the adoption of technology should be considered in the context of regulatory, organizational and institutional factors. Adejumo et al. (2026) contribute further to the discussion on the adoption of technology by focusing on artificial intelligence. In particular, in their study on the adoption of AI by Nigerian procurement practitioners, the researchers demonstrate that the adoption of technologies depends on the usefulness and usability of the technology as well as institutional pressures.

Nigeria Open Contracting Portal and Digital Transparency

Among the most significant initiatives in the procurement system of Nigeria is the Nigeria Open Contracting Portal (NOCOPO). NOCOPO has been developed as an online platform for tracking and managing procurement information of federal government contracts. According to the portal, "citizens may access procurement information and track procurement process from planning, tender, award, contract and implementation stage"; "civil society organizations may use procurement information for monitoring of procurement process and project implementation", whereas "procuring entity shall upload procurement information and procurement record". In addition, suppliers, contractors and consultants may also have access to tenders and existing contracts. The importance of NOCOPO lies not only in its ability to increase transparency of procurement. It gives an illustration of how information technology may link together different stages of procurement process into an information chain. In terms of administrative law, it bears special significance. Given that procurement information is available throughout the procurement process, it becomes possible to reconstruct the administrative procedure of procurement and contract award.

But then again, it should be clear that transparency and accountability are two different things. Just because information has been provided doesn't mean the rationale for the decision has been explained or the person accountable for the decision or the legality of the decision has been identified. So, while NOCOPO is a very important building block for digital administrative accountability, the process by which information, review, and compliance take place is just as important. The importance of open contracting is in the fact that procurement information can actually be used by people outside the government. The move towards open administrative governance.

The Nigeria Data Protection Act and Digital Procurement

Digital procurement also gives rise to the issue of legal obligation relating to the protection of data. Procurement processes have much data. Personal details such as names, contact information, identification, financial information, etc. of suppliers and contractors might be included in them. Government employees such as the procurement officers could also be included in the electronic audit trails. The Data Protection Act 2023 (Nigeria) sets out the law regarding the processing of personal data in Nigeria. According to the Nigeria Data Protection

Commission, some of the objectives of this Act include protecting the rights and freedoms of individuals; regulating personal data processing; protecting privacy; and processing personal data in a manner which is fair, lawful, and accountable (NDPC, n.d.). There is a crucial link between procurement transparency and privacy.

The principle of open procurement does not necessarily imply that all the information retained by the procurement agency will be published automatically. It is thus essential for digital procurement governance to understand the difference between information that is needed to ensure public accountability and the one that has to be kept secret as per the provisions of the law. It is in this regard that the incorporation of the data protection concept within the procurement processes becomes an essential part of the process of administrative legality. It is possible that a procurement process that is excessively transparent ends up breaching the privacy obligation as well. The proper approach to the situation is to integrate data governance within the procurement architecture.

Procurement Compliance Monitoring and Digital Oversight

Another development that has occurred within Nigeria's procurement digital environment is the Procurement Compliance Monitoring Services (P-COMS), which according to the BPP, is a digital tool designed to enhance transparency, accountability and compliance within public procurement. The purpose of this tool is to ensure real time monitoring of the procurement process as well as adherence to the Public Procurement Act of 2007 (BPP, n.d.).

This development has particular importance for the argument put forth in this paper since it shows the transition from an electronic procurement system to digital administration. While an electronic procurement system may assist in carrying out transactions, a digital compliance monitoring system can be used to monitor if such transactions comply with the law. The difference is important.

- First generation digital procurement concentrates on digitization of transactions.
- Second generation digital procurement concentrates on digitization of information.
- Third generation digital procurement concentrates on digitization of oversight.

Thus, the value of P-COMS as an institution emerges from its capability to link procurement information to accountability. However, the mere presence of a monitoring mechanism cannot ensure enforcement. The process of digital monitoring needs to have a connection with institutional power, professional expertise, and penalties for non-compliance. This is precisely why Institutional Theory is relevant here.

Conceptualising Digital Administrative Accountability

The major conceptual contribution of this article is the notion of digital administrative accountability. Digital administrative accountability is defined as: The ability of digitally mediated public-administration systems to render the legal foundation, sequence, decision-making responsibility, documentation and reviewability of administrative actions transparent, traceable and contestable during the procurement process. This concept comprises six different elements.

- First, there is legal traceability: The procurement action must be linkable to the law, regulation, guideline, or authorized procedure through which it was done.

- Second, there is procedural traceability: It must be possible to establish the sequence of procurement decision making.
- Third, there is responsibility assignment: The system must be able to attribute responsibilities to specific officials or institutions that prepare, review, recommend and approve decisions.
- Fourth, there is record integrity: Procurement records must be accurate, secure, retrievable, and complete enough to allow for auditing and reviews.
- Fifth, there is transparency. Information relevant to the procurement process must be available to interested internal and external parties.
- Sixth, there is reviewability. Procurement decisions must be subject to examination and review.

The above dimensions mark a difference between digital administrative accountability and e-procurement. While e-procurement considers if procurement is performed through electronic means, digital administrative accountability considers whether electronic procurement contributes to making administrative powers more legitimate, traceable, and reviewable.

The above is one of the conceptual contributions made in this paper. The extant literature has provided fragmented yet important explanations for procurement reforms. The first stream of literature has dealt with the issue of public procurement law, transparency, accountability, and institutional reforms in Nigeria. The above literature is very critical since it highlights the role of the legal and institutional framework.

The second dimension of the above literature focuses on e-procurement and electronic public procurement and the above literature of Afolabi et al. (2022) and Zakari (2024) was identified as being relevant for the digital systems to procurement process that this paper seeks to consider.

The third stream of literature focuses on digital technologies and their institutional adoption. In this regard, the study of Azage and Obazele (2025) on e-government procurement and sustainability and the study of Adejumo et al. (2026) on AI adoption in procurement was found to be relevant to this paper.

Fourth perspective encompasses wider digital governance literature, which includes Nigeria's NDEPS 2020-2030 and international digital governance frameworks.

Fifth dimension is related to data governance and privacy issues which in Nigeria's context have been addressed through the Nigeria Data Protection Act 2023.

What has not yet been sufficiently integrated is the connection between these dimensions. The existing literature fails to explore how the principles of administrative law may be embedded in the digital procurement system and how such institutionalization may affect procurement processes.

This paper is not suggesting that digital procurement and administrative law or institutions have not been explored by other scholars before. It is saying that the integration of these areas of research to explore how digital governance can institutionalize administrative law

in procurement has not yet been sufficiently achieved. Concept of digital administrative accountability attempts to fill this gap.

Theoretical Framework

Institutional Theory is used as the main theoretical perspective as public procurement implementation relies on formal norms, organizational routines, professional norms, and collective expectations. According to Meyer & Rowan (1977), organizations use formal structures due to their legitimizing properties. Formal structures might become decoupled from organizational activities. The idea of decoupling is very applicable to digital procurement. A public organization can use a new electronic platform for procurement but the major decisions will be still made in an informal way.

Coercive, normative and mimetic pressures are identified as the major mechanisms of institutional similarity by DiMaggio & Powell (1983). Procurement institutions can feel coercive pressure in form of legislation, normative pressure in terms of professional standards, and mimetic pressure coming from successful organizations in digitalization. Scott (2014) elaborates on the institutional structure using three pillars: regulative, normative and cultural-cognitive. The regulative pillar consists of law, regulation, directive and sanction. In Nigeria procurement case, this pillar includes Public Procurement Act 2007, BPP regulations and associated administrative requirement. The normative pillar is concerned with professional standard and expectation. In procurement profession, officers are supposed to respect integrity, transparency, professionalism, fairness and accountability.

The cultural-cognitive pillar deals with collective assumption regarding proper conduct in administration. Digital procurement gets institutionalized once officials and organization start to see electronic documentation, track ability and transparency as integral part of procurement administration rather than externally imposed requirement. Therefore, the Institutional Theory provided an explanation for the reason why technology could not generate reform on its own. That is to say, once a new technology like digital procurement system is introduced but lack of supporting legal requirement, professional standard and organizational incentive, the use of technology will be only on surface level. On the other hand, once those aspects support one another, digital procurement can become institutionalized. From the foregoing, the theoretical argument can therefore be expressed as follows: that administrative law establishes the rules; digital governance provides the technological infrastructure; institutions determine whether the rules become routine administrative practice. The concept of digital administrative accountability represents the mechanism connecting these elements.

Methodology

This research follows a qualitative conceptual research design, which includes integrative literature review and documentary analysis. Such a design is suitable because the main purpose of the research is the theoretical explanation and not the establishment of any statistics. Legislation, organizational materials, national policies and related scholarly works are analyzed. The key sources of documentation used for the analysis include the Public Procurement Act 2007, BPP organizational materials, NOCOPO materials, the Nigeria Data Protection Act 2023, NDPC materials and Nigeria's NDEPS 2020 – 2030. Scholarly literature was reviewed in relation

to public administration, administrative law, public procurement, institutional theory, digital governance and information systems. In particular, the analysis included such steps as concept identification, literature comparison, conceptual gap identification and integration of a theoretical framework. Specific attention was paid to the interrelation between legal rules, organizational routines, digital technologies, professional norms, transparency and accountability. Primary survey and interview findings are not presented in this paper and no statistical causality claims are made. All the propositions developed in the paper are purely theoretical and are designed to serve as a basis for further empirical research. Such an approach is suitable for the current research because its main contribution is conceptual in nature.

Discussion of Findings

Administrative Law as the Foundation of Digital Procurement

The first thesis put forward by the paper is that the digital procurement process needs to be developed on the basis of the law of administration and not be considered as separate technological innovation. The Public Procurement Act 2007 gives the substantive and procedural context for decision-making in procurement processes. It is necessary that any digital platform incorporates into its processes the provisions of law.

Thus, if the procurement law says about the need of certain approvals, it will be necessary to make sure of their existence within the system; if there is a need to produce certain documents according to the procurement law, then the system should have the possibility to do this.

Digital Systems as Institutional Infrastructure

Digital Governance assumes even greater relevance when it is seen in terms of institutional infrastructure. The procurement platform could become a digital storage for administrative memory. In other words, it will be able to retain the order in which decisions were made, the individuals who were involved in the procedure, and the procurement files. Such an approach proves particularly effective in complicated procurement processes which involve multiple officials and institutions. Nevertheless, the technological process should be aligned with administrative procedure.

From Transparency to Accountability

The example of NOCOPO highlights the potential for information sharing through digital platforms. However, availability of information is not enough. The concept of accountability demands the presence of an individual responsible for action, capacity to give explanations and mechanisms of review and correction. In this context, digital procurement reform must progress from the issue of information availability to other issues of its capacity for administrative scrutiny.

Attribution and Responsibility

Among the most significant advantages offered by digital systems is the possibility to attribute administrative actions. Digital processes may indicate who uploaded the data, who reviewed the document, who made recommendations and approved the decision. Attributing

should go hand-in-hand with the responsibility that an organization holds. A good system will not only recognize the user but also show his/her responsibility.

Record Integrity

There is also an opportunity for the improvement of record management because of digital procurement. Paper records could be fragmented and even lost. There would not be any problem with electronic record preservation, but there are problems of illegal access, record manipulations, cyber-attacks and data losses. Thus, digital accountability necessitates good record management.

Data Protection and Procurement Transparency

One key limitation of the simple definition of open procurement is provided by the Nigerian Data Protection Act 2023. Procurement transparency has to be exercised within the confines of legal data protection provisions. In other words, digital procurement processes need to involve principles of data minimization, access control, lawful data processing, data security, and data disclosure. The key problem here is to find the right balance between two competing public interests - procurement transparency for the public and individual privacy rights.

Professional Capacity

It is not possible to use technology to make up for the lack of procurement professional expertise. There is a requirement for procurement professionals to possess knowledge of procurement laws, IT infrastructure, and administration. It is also necessary for auditors to have IT skills in order to analyze electronic procurement records. There is a requirement for legal experts to have knowledge about electronic record keeping and digital administration.

Organisational Resistance

Resistance to the digital procurement process could be expected inasmuch as the process will alter the current way things are done. While it used to be that information relating to procurement was only available within specific government agencies under control of the relevant officials, the digital process will make such information more visible. As such, the institutional theory suggests that formal digital solutions to the problem might be resisted, adapted or decoupled from practice.

Risk of Digitising Existing Weaknesses

Digital systems have the capacity to mirror institutional deficiencies. In cases where procurement guidelines have not been well formulated, the digital system will not necessarily correct such inadequacies? If the evaluation criteria have been corrupted, digitization cannot necessarily address such corruption? Where officials are actively seeking to avoid processes, electronic systems might not necessarily solve such avoidance tactics? It is clear then that digital governance requires additional institutions. This serves to support the fundamental idea that technology must be viewed as an institution, not a replacement for institutions.

P-COMS and the Movement Toward Digital Oversight

One of the projects launched by the BPP, the P-COMS project, is an example that demonstrates how we can go from electronic procurement to digital compliance monitoring. The continuous availability of procurement data for the purpose of compliance monitoring means that monitoring can be proactive. But monitoring should result in institutional reactions. Otherwise, digital technology, which can identify non-compliance, would not be able to provide any accountability.

Institutionalisation and Decoupling

The difference between institutionalization and decoupling forms the basis of the essay. An instance of institutionalization is that where digital procurement becomes a part of the daily organizational activities. Decoupling refers to a case whereby the formal process exists, but some key activities take place outside it. An organization can adopt an electronic procurement process while still using informal communication to make critical decisions. This scenario would create an illusion of digital compliance without institutionalization. The effectiveness of the digital procurement process should be measured in terms of utilization.

Open Contracting and External Oversight

NOCOPO also provides chances for external monitoring. Civil society organizations can check the procurement process. The citizens can monitor the projects. The suppliers can get the information related to the tender process. This broadens the accountability context from within the government into externalities. However, citizen monitoring must act as a complement to the formal monitoring institutions.

Digital Administrative Accountability as the Institutional Mechanism

The paper proposes that digital administrative accountability functions as the institutional mechanism connecting administrative law and digital governance.
The relationship can be represented conceptually as:

Administrative Law + Digital Governance + Institutional Capacity
↓
Digital Administrative Accountability
↓
Improved Procurement Implementation

- The first layer forms the basis of the legal and technological architecture.
- The second layer constitutes the institutional process by which these architectures become actionable.
- The third layer constitutes the results of implementation as envisioned.
  The model implies that the relationship is one that is conditional rather than automatic.
- Where institutional capacity is low, digital governance might result in little accountability.
- Where professionalism is lacking, digital processes might be side-stepped.
- Where there is little enforcement, digital surveillance might not lead to corrective measures.
- Where data governance is deficient, transparency may clash with privacy.

Therefore, the institutional setting plays a role in shaping the effectiveness of digital procurement. In order to address the issue in this paper, five theoretical propositions were formulated and discussed.

1. The effectiveness of digital governance in public procurement is contingent upon the extent of digital systems institutionalizing principles of administrative law rather than merely automating procurement processes;
2. The effectiveness of digital procurement is contingent upon the strength of regulative, normative, and cognitive-cultural institutions in using digital systems;
3. Digital systems that generate information but do not improve responsibility, reviewability, and enforceability will result in transparency without equivalent gains in accountability;
4. The institutionalization of digital administrative accountability is positively correlated with the traceability, consistency, and reviewability of procurement processes; and
5. Organizational capacity, professional competence, and data governance shape the relationship between digital governance and procurement accountability.

It must be emphasised that these propositions provided opportunities for future empirical research.

Implications for Public Administration

This paper has several implications for public administration scholarship.

- Firstly, it is a clear indication that digital governance must be included in the study of administrative law and implementation of institutions.
- Secondly, it shows that technology diffusion models cannot be sufficient for explaining the digitalization of the public sector. It is necessary to take into consideration the organizational rules, professional norms and institutional expectations.
- Thirdly, it develops a new concept – digital administrative accountability – which can be operationalized in further research.
- Fourthly, it proves that procurement must be considered an important process in public administration and not only a financial or commercial one.

For practitioners, this paper indicates that procurement platforms must be developed collaboratively with procurement agents, administrators, lawyers, auditors, data protection experts and technology experts.

Conclusion and Recommendations

In this paper, the concepts of administrative law, digital governance and implementation of public procurement were analyzed in Nigeria through an institutional approach. This analysis reveals that Nigeria has become more advanced in terms of its procurement and digital governance infrastructure. The Public Procurement Act of 2007 sets up some significant legal guidelines regarding accountability, transparency, fairness and procurement process. The role of regulatory and oversight is carried out by the BPP whereas NOCOPO enables the access to the digital procurement. NDEPS 2020 – 2030 is the digital transformation policy for Nigeria, whereas the Nigeria Data Protection Act of 2023 establishes the legal framework for the personal data protection in the digital environment. Still, these are not enough to ensure

effective procurement implementation. The main thesis of this paper was that digital governance becomes most useful when it institutionalises administrative legality. The idea of digital administrative accountability presented in this paper was used as an analytical tool to explore this relationship. This notion stresses the importance of legality, process, responsibility, integrity of records, transparency and reviewability. Thus, the paper went beyond the oversimplified assumption that the use of e-procurement will result in improved performance of procurement processes. Still, while technology can enhance accountability, only when it is accompanied by laws, institutions, professionalism and commitment.

This process was explained using Institutional Theory. Legislation forms the regulative dimension; Professional Standards form the normative dimension; and organisational meanings constitute the cultural-cognitive dimension. Digitalisation will therefore be effective where these dimensions reinforce each other and not where they oppose one another.

It can therefore be seen that the paper made a valuable theoretical and practical contribution. Theoretically, it applied the theory of Institutionalism to the interface between administrative law and digital governance. On a conceptual level, it formulated digital administrative accountability as a device linking digital governance to procurement implementation. Practically, it offered an analytical tool for measuring whether Nigeria's procurement digitalisation is technological or institutional.

Future empirical research needs to examine these propositions in different levels of public institutions. The research would find out whether digitalisation of procurement systems has led to institutionalisation, partial adoption or decoupling.

The wider implication is that the digitalization initiative for Nigeria's public procurement system cannot be judged only by the number of electronic processes put in place. The real test is the extent to which such electronic processes ensure legality, auditability, transparency, responsibility, accountability, and institutional accountability of public procurement. From the above discussion, the paper has the following recommendations.

- First, any reforms to digital procurement must embrace the principles of administrative law. The digital system must identify the relevant legal requirements, levels of approval and procedural requirements.
- Second, Nigeria's procurement institutions should connect procurement planning, tendering, evaluation, award, contract administration, payment and implementation processes through digital procurement systems.
- Third, the BPP and the procuring organizations must enhance the connection between NOCOPO, procurement systems and compliance monitoring systems such that procurement information can contribute to the enhancement of transparency and oversight of these organizations.
- Fourth, P-COMS and other digital monitoring systems must be enhanced as mechanisms for procurement compliance monitoring.
- Fifth, any digital procurement system must consider the requirements of the Nigeria Data Protection Act 2023. Transparency must be balanced with proper handling of data through lawful processing, privacy and data security.
- Sixth, procurement officers must be trained in procurement law, administrative law, digital procurement systems and professional ethics.

- Seventh, government agencies must monitor the degree to which procurement activities take place using the approved digital systems. System availability should not be assumed as evidence of implementation.
- Eighth, the digital procurement system should offer clear responsibility attribution. Preparations, evaluations, recommendations, approvals, and modifications should all be traceable.
- Ninth, complaint and review procedures should be digitally linked to procurement records so that those affected by the administrative decision can understand and dispute it more effectively.
- Tenth, information from open contracting should be timely, complete, accessible and machine readable, yet consistent with data protection provisions.
- Finally, future empirical research will need to evaluate digital administrative accountability in terms of measurable factors such as traceability through law, procedural traceability, attribution, record keeping, transparency and reviewability.

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