

# Assessment Of Executive-Legislature Conflict In Nigeria's Fourth Republic 1999- 2019

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**Abstract:** Upon independence in 1960 Nigeria had witnessed democratic regimes which were intermittently interrupted. This has been through military coup de tat since 1966 when the first democratic government was overthrown. Nigeria has had twenty one years of unbroken democratic stability since her Fourth Republic, from May 29, 1999 to date, after about 16 years (1983- 1999) of military occupation and usurpation. Nigeria's Fourth Republic has more often than not experienced incessant conflict amongst the three arms of government regrettably at all the tiers of government. The most notable which also is the focus of this research is the conflict between the executive and legislative arms of government at federal level. The objective of this study is to: examine the nature of interaction between executive and legislature in Nigeria's Fourth Republic that fuel conflict; probe the factors responsible for executive-legislature conflict in Nigeria's Fourth Republic and assess the positive and negative impacts of executive-legislature conflict in Nigeria. Simple percentage and standard deviation tools were used to analyse the data gathered. Worried about the future of democracy in Nigeria, the paper concludes with the suggestions that respect and strictly adherence to the tenets of the principles of separation of powers, regular capacity building on basic conflict resolution and management training with a view to improving their conflict management skills as well as their problem solving skills be constantly ensured among others. This is because it has led to low productivity and heightened tension in the polity.

**Keywords:** Executive, Legislature, Conflict, Nigeria, Fourth Republic

## 1.0 Introduction

Abonyi (2007) observed that the nascent democracy has recorded the highest number of impeachment in the history of Nigeria since independence. According to him the nation witnessed the first impeachment of the principal officers of the National Assembly on the 18<sup>th</sup> of November, 1999. The Senate President, Chief Evans Enwerem of blessed memory spent only five (5) months and twelve (12) days in office when Dr. Chuba Okadigbo also late was unanimously voted in as the President of the Senate, Chief Adolphus Nwabara was equally removed. The sequence was so till Chief Ken Nnamani was sworn in as the 5<sup>th</sup> Senate president in about six years. However, the House of Representative was not spared as different Speakers emerged following the unceremonious removal from office of one speaker after another starting from Hon. Salisu Buhari to Hon. Ghali Umar Na' aba, then Hon. Aminu Bello Masari managed to remain in office till the end of the 5<sup>th</sup> Assembly. In the 6<sup>th</sup> Assembly, Hon. P. O. Etteh was elected the first female Speaker with a lot of accolade only for her to be removed over what was generally referred to as "house renovation" scandal and was replaced with Hon. Oladimeji Bankole.

Some states Houses of Assembly issued impeachment threats to their state Governors. In fact many governors were impeached namely, Governor Rasheed Ladoja of Oyo State, who was impeached by the State House of Assembly, for his alleged refusal to play along with President Olusegun Obasanjo. Governor Peter Obi of Anambra State was also impeached by the State House of Assembly while Governors Chris Ngige and Andy Uba, also from Anambra State were sacked by the court on the grounds that the elections that brought the duo to power were marred with rigging. Governor Peter Ayodele Fayose of Ekiti State was also impeached for alleged misappropriation of funds, also the Governor of Plateau State, Joshua Dariye suffered same fate on ground of financial recklessness. On the other hand, some state Governors influenced the impeachments of their Deputies and Speakers of their State Houses of Assembly.

Following these plethora of observations, it is expedient to thoroughly assess executive-legislature conflict at the federal level of government in Nigeria's Fourth Republic 1999- 2019. This exercise will surely provide workable solutions that will ensure cooperation, adequate management and control of conflict between executive and legislature in Nigeria for rapid national development.

## 1.1 Objectives of the Study

The broad objective of this study is to assess critically the effect of executive-legislature conflict at the federal level of government in Nigeria's Fourth Republic from 1999 to 2019.

The specific objectives are to:

- (a) examine the nature of interaction between executive and legislature in Nigeria's Fourth Republic that fuel conflict.
- (b) probe the factors responsible for executive-legislature conflict in Nigeria's Fourth Republic.

(c) assess the positive and negative impacts of executive-legislature conflict in Nigeria.

### **1.2 Significance of the Study**

This study is both timely and significant. A thorough assessment of this trend will reduce the shortage of knowledge in this regard. Equally, the suggestions and recommendations proffered in this study will help our political actors in managing and controlling conflict amongst different arms of government especially between executive and legislature in Nigeria. Finally, scholars will find this work useful for further research on the conflict between the executive and the legislature in Nigeria.

Thirdly, the time range of the study falls within the period when opposition party is forming the government at the federal level and the crises are not abetting.

### **2.0 Review of Related Literature**

Previous literatures have shown that 'presidentialism' tends towards democratic breakdown (see Linz 1990 & Linz and Valenzuela 1994). Remember that in a presidential system of government, both the President and the members of the legislature are elected with fixed tenure and are given the mandate by the electorates to represent their interests at all levels of government. It is also believed that executive-legislative conflict "stems primarily from the separate election of the two branches of government and is exacerbated by the fixed term of office" (Mainwaring 1993:209). This quest for tenure elongation noted Abonyi (2006) was majorly why during President Olusegun Obasanjo Regime there was attempt to use the National Assembly to amend the 1999 Constitution in order to enable the president run for third term otherwise referred to as Third Term Agenda. This he insisted was why Leadership of the National Assembly both at the Upper and Lower Legislative Chambers were frequently removed to help him gain control of the legislature solely for the purposes of tenure elongation.

Almost same fear of the intention of the executive interference led to the failure of Hon. Mulikat Akande emerging the Speaker of the House of Representative during President Goodluck Jonathan regime which saw the emergence of Hon. Aminu Waziri Tambuwal. Both President Jonathan and Speaker Tambuwal had unhidden running battles throughout the 7<sup>th</sup> Assembly. This led to the decamping of the Speaker to the opposition party which invariably led to the defeat of the President Jonathan in 2015 general election in his second term bid. The 8<sup>th</sup> Assembly is equally having running battles with the executive following Sen. Bukola Saraki and Hon. Yakubu Dugara's emergence as Senate President and Speaker of the Upper and Lower Legislative Chambers respectively.

It was largely claimed that Sen. Bukola Saraki's trial at the Code of Conduct Tribunal (CCT) was more political than fight against corruption. This is because it was when he emerged the President of the Senate that the federal government dragged him to the CCT for false asset declaration he made since 2006 when he was the governor of Kwara state. His emergence was against Sen. Ahmed Lawal who was the party's preferred candidate and the Speaker Hon. Dogara also emerged instead of Hon. Femi Gbajabiamila the party's anointed candidate. Note that the choice of the leadership of the National Assembly should entirely be the business of the National Assembly and not executive arm, political parties or any other outside forces. Fisher (2000) has, however, warned that "unresolved power conflict usually recycles and escalates to the point of relationship breakdown and termination." Consequently, Nwokeoma (2011) observed that the ability of any democratic government to deliver the concrete benefits of good governance to the citizens is determined by the smooth functioning of the executive, judiciary and legislative arms of government. He therefore, argued that this assumption reinforces the theory of separation of powers of the different arms of government to prevent arbitrariness, tyranny and recklessness.

Nwosu (1998) and Ajayi (2007) have clearly pointed out the effects of executive-legislative conflicts on previous Republics in Nigeria. They insisted that the "previous republics collapsed largely not because the constitutions were bad; rather, the demise of these republics resulted from the inability of the governing elites to comply with the basic rules of the game".

The interaction between the executive and the legislature at federal level of government in Nigeria, especially her Fourth republic has been characterized by mutual suspicion, acrimony and political rivalry (Aiyede, 2005; Nwannekanma & Ogbodo, 2010). In spite of the unequivocal provisions of the 1999 Constitution and its various amendments aimed at tackling the problems of executive-legislature crises in the previous republics, managing executive-legislature conflict has been the single most problematic issue both at the centre and the state level since the country's return to civil rule in 1999 (Abonyi, 2006).

Moreover, executive's involvement in the legislative process has been argued to undermine legislature's independence to perform its role of citizens' representation (Bernick & Wiggins, 1991; Edosa & Azelama, 1995; Bernick & Bernick, 2008). These real roles in contemporary times have, however, become debatable and controversial. While the legislature in some political system is seen to have wider powers and exercises real powers, the institution in some others have declined in power to a mere rubber stamp assembly for legitimizing the decisions made elsewhere (Ball, 1977; Heywood, 2007; Lafenwa, 2009). Suffice it to say that we should not

continue in this part because total breakdown of the system is imminent unless the ugly trend is checked. Famous English scholar, Sir John Dalberg-Acton (1834–1902) postulated that “*Power tends to corrupt, and absolute power corrupts absolutely in such manner that great men are almost always bad men.*” There is no gain saying the fact that conflict is inevitable in executive and legislative interactions, especially under presidential system.

## 2.2 Theoretical review

### 2.2.1 Elite theory

Politics is often perceived as the struggle for power and domination by the elites. They occupy all corridors of power. When they are not there they install their stooges who only carry out the elites orders. The political space heavily dominated by the elites, actually make them to give direction to public policy. That is why public policy is perceived as elite preference. Ideally, public policy supposed to reflect the demands of “the people” but this may express the myth rather than the reality of Nigerian democracy. Elite theory suggests that the people are apathetic and ill-informed about political participation and public policy process, that the elites actually shape mass opinion on policy questions more than the masses shape elites opinion.

For instance policies formulated in Nigeria are often tele-guided by the “big shots” who are seen as “opinion shapers”.

The main thrust of the Elite theory are:

- (i.) Elite theory divides the society into two – the few who have power, wealth or well positioned in the society are the elites. The many who do not have (the have-nots) are the non-elites.
- (ii.) The few who govern are not typical of the masses who are governed. Elites are drawn dis-appropriately from the upper socio-economic strata of the society.
- (iii.) The movement of non-elites to elites position must be slow and continues to maintain stability and avoid revolution. Only the non-elites who have accepted the basic elites consensus can be admitted to the governing circles.
- (iv.) Public policy does not reflect the demands of the masses but rather the prevailing values of the elites.
- (v.) Active elites are subject to relatively little direct influence from the apathetic masses. In other words the elites influence the masses more than the masses influence the elites.

## 3.1 Research Design

Quantitative and qualitative data were generated through field survey research design. Qualitative method is predicated on the fact that the principle of power dispersion between the executive and the legislature and the characterizing relationship require a conscious approach that is best captured by the descriptive and analytical methods. The study is descriptive in nature in order to look at the problem by exploring the views of different sets of respondents, as well as exploring different literatures related to the study.

## 3.2 Method of Data Analysis

The primary and secondary data obtained were analyzed and computed based on the research objectives of this study. The data obtained through the questionnaire were analysed using simple percentage and standard deviation statistical tools. Measures of central tendency and simple percentage were considered appropriate as quantitative tools for analysis in this study.

### 4.1 Nature of interaction between Executive and Legislature in Nigeria’s Fourth Republic (1999-2019)

**Table 4.1: Frequency Distribution of Respondents on nature of interaction between Executive and Legislature in Nigeria’s Fourth Republic (1999-2019)**

S/N	Item	Strongly Agree		Agree		Strongly Disagree		Disagree	
		F	%	F	%	F	%	F	%
1	Struggle for power and superiority between legislature and executive.	11	11	89	89	0	0	0	0
2	Display of personal ego between the leadership of executive and legislature.	11	11	74	74	7	7	8	8
3	Arbitrariness and domineering attitude of the executive over the legislature.	71	71	29	29	0	0	0	0
4	Victimization of the executive by the legislature through delay in passage of the budget.	5	5	94	94	0	0	1	1

Source: *Field Report, 2019*

Table 4.1 presents the responses of the respondents on the nature of interaction between executive and legislature in Nigeria’s Fourth Republic between 1999 and 2019. The Table shows that majority of the respondents either strongly agree or agreed that Struggle for

power and superiority between legislature and executive has characterized the relationship between the executive and the legislature. In all, 11 respondents and 89 respondents representing 11% and 89% strongly agreed and agreed respectively. It is instructive to note that this analysis shows that no respondent neither strongly agreed nor disagreed that Struggle for power and superiority between legislature and executive from 1999 to 2019 form the nucleus of interaction between Executive-Legislature in Nigeria’s Fourth Republic. Out of the entire respondents 11 and 74 of them representing 11% of the respondents strongly agreed while 74% agreed respectively, that display of personal ego between the leadership of executive and legislature dominates the interaction between the Executive-Legislature in Nigeria’s Fourth Republic. However, 7 respondents constituting 7% of the population strongly disagreed and 8 respondents that made up the remaining 8% disagreed. It can be observed from this analysis that majority of the respondents insisted that display of personal ego between the leadership of executive and legislature as the main component of the interaction between Executive-Legislature in Nigeria’s Fourth Republic from 1999 to 2019. Clearly 71 respondents making 71% of the respondents strongly agreed while 28 respondents making 28% agreed that arbitrariness and domineering attitude of the executive over the legislature dominated the intercourse between the executive and the legislature. Nevertheless, only 1% disagreed. This indicates that really, arbitrariness and domineering attitude of the executive over the legislature represented the kind of relationship between executive and legislature in Nigeria’s fourth Republic from 1999 to 2019. Finally, victimization of the executive by the legislature through delay in passage of the budget was feasible in the way of the executive and the legislature. Out of all the respondents 5 strongly agreed while 94 agreed representing 5% and 94 % respectively of the respondents and only 1% disagreed that legislature did not use delay in passage of the budget, approval of expenses, screening of executive nominees and executive bills to intimidate the executive in Nigeria’s fourth republic. This surely indicated that majority believed that victimization of the executive by the legislature through delay in passage of the budget, approval of expenses, screening of executive nominees and executive bills did make up the nature of interaction between the executive and legislature from 1999 to 2019 in Nigeria’s fourth republic.

**4.2 Descriptive statistics of the nature of interaction between Executive and Legislature in Nigeria’s Fourth Republic (1999-2019)**

S/N	Item	SUM	MEAN	STD
1.	Struggle for power and superiority between legislature and executive.	100	3.11	2.237576
2.	Display of personal ego between the leadership of executive and legislature.	100	2.88	2.27878
3.	Arbitrariness and domineering attitude of the executive over the legislature.	100	3.69	3.491624
4	Victimization of the executive by the legislature through delay in passage of the budget.	100	3.03	2.203653

Source: Field Report, 2019

Table above shows the test results on whether or not Struggle for power and superiority between legislature and executive existed between the executive and the legislature in Nigeria’s fourth republic from 1999 to 2019. The result shows a mean of 3.11. It is instructive to note that this does show a strong disposition towards Struggle for power and superiority between legislature and executive within the period under review. Display of personal ego between the leadership of executive and legislature shows a mean of 2.88. It is appropriate to note again that this does not show a strong disposition towards ego struggle between the legislature and executive in their relationship during the period under review. The test result shows that Arbitrariness and domineering attitude of the executive over the legislature characterized the interaction between the executive and the legislature in Nigeria’s fourth republic from 1999 to 2019. This deduction is derived from the mean value of 3.29. Finally, the test reveals that legislative arrogance as displayed in their victimization of the executive by delay in passage of the budget approval of expenses, screening of executive nominees and executive bills characterized the mode of executive-legislature interactions in Nigeria’s Fourth Republic from 1999 to 2019. This decision is based on the statistical mean of 3.01.

**4.3 Consideration of factors responsible for Executive and Legislature conflict in Nigeria’s Fourth Republic (1999-2019)**

**Table 4.4: Frequency Distribution of responds on the factors responsible for Executive and Legislature conflict in Nigeria’s Fourth Republic (1999-2019)**

S/N	Item	Strongly Agree		Agree		Strongly Disagree		Disagree	
		F	%	F	%	F	%	F	%
1.	Conflict over the role that each organ should perform.	71	71	29	29	0	0	0	0
2.	Limited conceptualization and understanding of their constitutional responsibilities.	53	53	33	33	4	4	10	10

3.	Greed and corruption between members of the two organs	77	77	28	28	0	0	1	1
4.	Religious and ethnic sentiments.	3	3	55	55	22	22	20	20

Source: *Field Report, 2019*

Table 4.4 shows that as it concerned conflict over the role that each organ should perform, 71 respondents strongly agree while 29 respondents agreed that that indeed fuelled Executive-Legislature conflict in Nigeria's Fourth Republic 1999 to 2019. The table also showed that no respondents strongly disagreed or disagreed that conflict over the role that each organ should perform caused Executive-Legislature conflict in Nigeria's Fourth Republic. The respondents felt that limited conceptualization and understanding of the constitutional responsibilities each arm of the government was charged constitute major factor responsible for executive-legislative rift. This is because 53 respondents strongly agreed while 33 of them agreed with the above assertion representing 53% and 33% respectively. Meanwhile 4 respondents strongly disagreed and 10 respondents disagreed which is 4% and 10% respectively of the population. The analysis affirmed that majority of the respondents affirmed that conflict over the role that each organ should perform caused Executive-Legislature conflict in Nigeria's Fourth Republic between 1999 and 2019. The percentage response of the respondents on whether greed and corruption between members of the two organs contributed in the conflict between the executive and the legislature showed that 71% and 28% strongly agreed and agreed respectively, representing 71 and 28 respondents. Nonetheless 1% disagreed. Yet the responses showed that majority believe that greed and corruption between members of the two organs caused executive legislature conflict in Nigeria's fourth republic between 1999 and 2019. In respect of religious and ethnic sentiments, the table reveals that a large percentage of respondents (3% and 55%) representing 3 and 55 respondents believed that religious and ethnic sentiments played a part in Executive-Legislature conflict in Nigeria's Fourth Republic, while 22% and 20% strongly disagreed and disagreed respectively representing 22 and 20 respondents felt that the conflict between executive and legislature had anything to do with the religion or tribe.

#### 4.5 Consideration Impacts of Executive-Legislature Conflict in Nigeria.

The implications of executive-legislature conflict are highlighted here as supplied by the respondents.

##### 4.5.1. Discussion of Findings on the negative impacts of Executive-Legislative conflicts in Nigeria's Fourth Republic 1999 to 2019

In determining the negative impact of executive-legislative conflict with an open-ended question, which states thus: "What are the negative impacts of executive-legislative conflicts in Nigeria?" Only 86, representing (86%) of the respondents responded to the questions out of 100. Fourteen (14) respondents left the answer space blank, which represent (14%). The following negative impact was extracted:

1. Slows down the pace of governance by lack of cooperation needed for execution of some projects.
2. It leads to undue removal from office principle officers of the legislative arm or even the executive as has been seen at state level in some states.
3. It creates suspicion and hostility between the two organs.
4. It encourages bad governance through abuse of power and disregard to rule of law.
5. It creates division between the executive and legislature and leads to waste of resources.
6. It creates distraction to the process of governance and serious government business is relegated to the background.
7. It creates tension and political instability which might lead to military intervention.
8. It encourages the culture of impunity and disregard for the rule of law among the political class.

##### 4.5.2: Discussion of Findings on the positive impacts of Executive-Legislative conflicts in Nigeria's Fourth Republic from 1999 to 2019

In determining the positive impact of executive-legislative conflict with an open-ended question, which states thus: "What are the positive impacts of legislative-executive conflict in Nigeria?" Only 72, representing (72%) of the respondents responded to the questions out of 100. Twenty eight (28) respondents left the answer space blank, which represent (28%). The following positive impact of executive-legislative conflict on good governance was extracted:

1. It assists the legislature to constructively monitor and criticize the policies of the executive through their oversight function.
2. It strengthens the democratic process as each organ asserts itself against undue interference.
3. Good governance and responsible leadership can be promoted through mutual respect for each other.
4. It enables the legislature to check the recklessness and excesses of the executive.
5. Helps the legislature to set agenda for the executive in promoting good governance.
6. It promotes transparency and accountability in governance.
7. Assist the executive to be focused and committed to delivering good governance to the citizens.
8. It helps the legislature to make efficient laws that will promote good governance.

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## SUMMARY AND RECOMMENDATIONS

### 5.1. Summary of findings

This study assessed executive-legislature conflict in Nigeria's Fourth Republic at the federal level observed that the roles of the executive and legislative as institutions of government are established to complement each other under the presidential constitutions of Nigeria. The presidential practice since its adoption in the country however, continued to witness executive-legislature gridlocks, deadlocks and stalemates over important policy issues. The legislative institution of Nigeria is adjudged to have been unable to adequately perform its constitutional roles in the face of executive dominance in Nigeria's fourth republic. However, recent performance of the legislature in the fourth republic in Nigeria however, gives a glimmer of hope for sustainable democracy in the country as a gradual decline in executive dominance in Nigeria is discernable.

Another major finding of this study is the systematic and gradual paradigm shift from the culture of overbearing executive especially from 1999 till 2007 to legislative omnipotence. The seemingly emerging National Assembly now feels it must be adequately lobbied by any executive that wants to have smooth sales in government businesses.

### 5.2. Recommendations

Considering the analysis and findings of this study, the following policy recommendations are made on how to prevent/manage the conflict between the executive and legislature as well as improving their service delivery capacity at the federal level:

1. Both the executive and legislature should respect and strictly adhere to the tenets of the principles of separation of powers.
2. The executive and legislative arms of government should embark on regular capacity building on basic conflict resolution and management training with a view to improving their conflict management skills as well as their problem solving skills.
3. The legislature should evolve different techniques and strategies to strengthen its oversight function, which would enable it to conduct regular and in-depth checks and monitoring on the activities of the executives vis-a-vis Ministries, Departments and Agencies (MDAs). This will put the executive on its toes and it would also make it more service oriented, accountable and transparent.
4. The legislature should also focus more on making laws that would guide the executive in achieving sustainable development in the country.

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