

EXECUTIVE-LEGISLATURE CONFLICT AND DEVELOPMENT IN NIGERIA'S FOURTH REPUBLIC

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Abstract

The doctrine of separation of powers, an essential prerequisite of a presidential democracy, provides for a division of powers of government into three distinct arms; the legislature, the executive and the judiciary. The importance of this division cannot be over emphasized for it is only by separating the function of execution from that of law-making, by insisting that every executive action must have the authority of some law, and by prescribing different procedures for law-making, can the arbitrariness of executive action be effectively checked. Primary and Secondary data were gathered for this study using a sample size of 100 respondents representing 10% sample fraction of the study population approximately 1000. Secondary data were also sourced from books, journals, government publications, magazines, newspapers and Internet materials. This paper found that arbitrariness and domineering attitude of the executive over the legislature fuelled executive-legislature conflict, thus weakening the ability of the legislature to effectively perform their fundamental role of citizens' representation through legislation and oversight functions. Also, there is a systematic and gradual paradigm shift from the culture of overbearing executive influence to legislature omnipotence, hence indicating the conflictual base of their interactions. In addition, the analysis of the impact of the executive legislature conflict showed that negative impact outweighs the positive impact on the development of Nigeria during the fourth Republic. This paper concluded that Nigeria has not enjoyed democratic order and political stability due to constant executive-legislature conflict.

Keywords: Executive, Legislature, Development, and Nigeria's Fourth Republic

Introduction

Upon independence in 1960 Nigeria had experienced many 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 seventeen years of unbroken democratic stability since the inception here on May 29, 1999, after about 16 years (1983- 1999) of military usurpation of the country's political power of the country. Nevertheless, Nigeria's Fourth Republic has more often than not experienced incessant conflict amongst the three arms of government namely, the executive, the legislature and the judiciary, largely the levels of state and federal governments. 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. This is because it has led to low productivity and heightened tension in the democratic system.

Therefore, it would be more viable and beneficial for both the executive and legislature to collaborate constructively engineer the policymaking and implementation process with a view to promoting egalitarian society. In this regard therefore, the legislature should “play the role of an agenda setter” (Romer and Rosenthal 1978), while the executive should be the agenda implementer. Undoubtedly the nature of cooperation that exists between the legislature and executive branches of government determines the level of development any country can record in a democracy.

As a result, the quest for development in Nigeria has been slowed down as a result of unending conflicts between the Legislature and Executive who are often entangled in a constant battle for supremacy, power tussle and control of the policy making and implementation process, thereby jettisoning the tenets of the principles of separation of powers which clearly states that the three arms of government namely, legislature, executive and judiciary shall be independent of the control of each other. 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 due to their autonomous decisions. It is against this feat that this paper interrogated the nature of interactions between the executive and legislature with a view to understanding the factors that are somewhat responsible for their inter-relationship vis-à-vis their noticeable impacts on the development of Nigerian state during the Fourth Republic.

Conceptual Clarifications

Conceptual Review

Every academic work has concepts that to some reasonable degree, distinguish it from other academic disciplines. Conceptual issues will be taken care of in this regard because of debate it has generated in the area of presidential system of government where executive-legislature is more frequent.

The Executive

The executive, according to Heywood (2007), is the irreducible core of government. Similarly, Laski (1992) sees the executive as occupying a very crucial position in the administration of a state. According to him, the executive in all democratic systems exists to, first and foremost, decide on the final choice of policy to be submitted to the legislative assembly for approval; secondly, it is its business to see to it that the public agencies fully adhere to that policy as intended by the legislature; and thirdly, it ensures that it delimits and also coordinates the activities of the different departments of state.

It is on this score that Puke (2007) sees the executive as responsible for providing good and responsible governance for the state. Edosa and Azelama (1995) also defined the executive as the implementation organ of government. They, noted that from ages, making and enforcing binding rules and allocations through the executive have been the primary functions of government.

Garner (1928), however, observed both the broad and collective perspective of the executive as he sees the executive organ as embracing the aggregate or totality of all the functionaries and agencies which are concerned with the execution of the will of the state as that will has been formulated and expressed in terms of law. By this definition, therefore, the executive comprehends the entire governmental organization. Thus tax collectors, inspectors,

commissioners, policemen and perhaps the officers of the army and navy are a part of the executive organization.

Similarly Appadorai (1975) lends credence to the broad perspective of the executive. He defined the executive as the aggregate or totality of all functionaries and agencies, which are concerned with the execution of the will of the state. Similarly, Heywood (2007) analysed the executive in this broad perspective. He defines the executive as the branch of government that is responsible for the execution or implementation of laws and policies made by the legislature. He sees the executive to extend from the head of government to the members of the enforcement agencies and includes both the ministers and the civil servants. He categorises the executive into political executive and bureaucratic executive.

The status, powers and functions of the executive are not everywhere or at all times identical. As noted by Appadorai (1975), they vary according to the type of executive and according to the prevailing conceptions regarding the sphere of the state. According to him, the functions of the executive are greater in those countries having a non-parliamentary executive than in those having a parliamentary executive.

The Legislature

The term "legislature" has been given different names across nations of the world. It is referred to as "Parliament" in Britain, "National Assembly" (the central legislature) in Nigeria, "Congress" in United States etc. (Abonyi, 2006; Heywood, 2007; Lafenwa, 2009). As noted by Lafenwa (2009), however, there is no serious contention about its definition. The legislature is seen as occupying a key position in the machinery of government (Heywood, 2007) and as the people's branch with the singular purpose of articulating and expressing the collective will of the people (Bernick&Bernick, 2008; Okoosi-Simbine, 2010). As an organ of government, it is the forum for the representation of the electorate (Taiwo&Fajingbesi, 2004). Awotokun (1998) conceptualizes the term legislature from a functional perspective. He defines the legislature as the branch of government made up of elected representatives or a constitutionally constituted assembly (body) of people whose duties among other things are to make laws, control executive activities and safeguard the interest of the people.

Following this functional definition, Anyaegbunam (2000) conceptualizes the legislature as having the role of making, revising, amending and repealing laws for the advancement and well being of the citizenry that it represents. Similarly, Lafenwa (2009) defines the legislature as an official body, usually chosen by election, with the power to make, change, and repeal laws; as well as powers to represent the constituent units and control government. Okoosi-Simbine (2010) also conceptualizes the legislature as the law-making, deliberative and policy influencing body working for the furtherance of democratic political system. He describes the legislature as the First Estate of the Realm, the realm of representation and the site of sovereignty, the only expression of the will of the people. It follows from this analysis that the authority of the legislature is derived from the people and should be exercise according to the will of the people who they represent.

This seems to be the position of Bogdanor (1991) when he affirms that the authority of the legislature as a political institution is derived from a claim that its members are representative of the political community, and decisions are collectively made according to complex procedures.

Perhaps, it is in the light of this, that Smith (1980) sees the legislature as the symbol of power and legitimacy because its decision is based on the collective wisdom of men and women who

enjoy the confidence of the electorate. Jewell (1997), on the other hand, identifies two features that distinguish the legislature from other branches of government. The first feature, according to him, is that the legislature possesses formal authority to make laws, and secondly, members are normally elected to represent various elements in the population.

Thus, Davies (2004) avers that representative liberal democracy cannot exist without a healthy, lively and credible legislature. He noted that the establishment of the legislature rests on the assumption that in the final analysis, political power still resides in the people and that the people can, if they choose, delegate the exercise of their sovereignty to elected representatives. Loewenberg (1995) and Okoosi-Simbine (2010) seem to concede to this important view of the legislature as the people's representative by viewing the legislature as assemblies of elected representatives from geographically defined constituencies, with lawmaking functions in the governmental process of a country. The fact that the legislature is an assembly of people elected to represent the citizens is perhaps, the reason why Awotokun (1998) notes that the legislature is an assembly of ambassadors who serve their constituencies in various ways as intermediaries between the citizens and government officials.

The strength and the state of the legislature have been identified as among the strongest predictors of a country's democratic development and survival (Okoosi-Simbine, 2010; Poteete, 2010). As Lafenwa (1991) argues, the legislature is the central element of democracy. Democracy cannot exist in any country without a healthy and lively legislature (Blondel, 1973; Taiwo&Fajingbesi, 2004). As noted by Edosa and Azelama (1995) the nature of the legislature that is adopted determines whether a given political system is democratic or not. The centrality of the legislature to democracy is perhaps succinctly captured by Awotokun (1998) when he avers that the legislature is the pivot of modern democratic systems.

According to Lafenwa (1991), Edosa&Azelama (1995) and Okoosi-Simbine (2010), legislatures vary both in their design, structure, pattern of organisation and operational procedures, selection process as well as sizes, tenure of office and frequency and nature of meetings. The variation, Nwabueze (1982) and Okoosi-Simbine (2010) posit, is contingent upon past traditions, theory of government, character of the regime and most importantly the nature of the society in question. They observe that modern legislative procedures derive from British procedures and thus serve as a model for the development of legislature and legislative procedure for many countries around the world.

Ball (1977) and Edosa&Azelama (1995) traced the emergence of the legislature to the need for advisory bodies by the executive. In this perspective, the origins and the essential features of the modern legislature are found in the advisory councils which from ancient times were established to give advice to a ruler – king, Chief Emperor, Oba, Ovie, Obi or Sultan (Nwabuzor& Mueller, 1985, Edosa&Azelama, 1995).

According to this theory of the origin of the legislature, for the purpose of effective governance, rulers have had to surround themselves with advisers. Edosa and Azelama (1995) bring to the fore, the implication of this. According to them, firstly, it means that state power or governance was never monopolized but shared to some extent.

Secondly, that rulers surrounded themselves with team of experts as advisers, means that rulers from time past were inclined to effective governance which they believed would be beneficial to all. The team of advisers could be in the form of a council of elders whose members were usually respected individuals of certain military or economic groups or persons with expert knowledge of the times, custom and tradition of the community.

The method of constituting these advisory councils and their level of usage, however, depended on the character of the ruler, the historical period and the type of society involved (Nwabuzor & Mueller, 1985). According to Edosa and Azelama (1995), the ruler was usually left with the discretion of determining the mode of selecting members of the advisory councils, the content and use of their deliberation. They pointed out that the nature of the ruler, the circumstances of the period and the peculiarity of the society were the determinants of the relationship between the sovereign and his advisory council. They noted further that advisory councils were either permanent bodies or ad hoc bodies with members invited by the ruler when needed.

In the situation when they are permanent however, they became known by the community as co-rulers and policy-makers with the king. It later became more possible to clearly define the relationship between the advisory council and the ruler, the conditions and qualifications for council membership, the tenure, and the working procedure. Edosa and Azelama (1995), in an interjectory manner, argued that the evolutionary development of African's indigenous legislature was distorted by the imposition of colonial rule of African kingdoms. Edosa and Azelama seem to hold relevance going by the fact that government in the traditional African societies had their various defined and structured process of enacting rules which were seen as representative of the wishes of the people in the particular society.

Two main designs for the legislature are identified in the works of Nwabueze (1982), Lafenwa (1991), Edosa and Azelama (1995), Heywood (2007), Anifowose (2008) and Okoosi-Simbine (2010). Some legislatures have two chambers popularly referred to as bicameral legislatures while some others have single chamber commonly known as unicameral legislature. Yugoslavia has, however, experimented with a five-chamber legislative assembly and South Africa, a three-chamber legislative assembly between 1984 and 1994 (Heywood, 2007).

In a bicameral type of arrangement two legislative chambers exist in a country; one chamber seems to dominate the other. This situation is noted by Nwabueze and Mueller (1985) when they viewed that in a bicameral legislature, there exists some forms of dominance of one chamber on the other in respect of some legislation, tenure of office of members, size and importance of the constituencies represented. They, however, added that intricate rules are usually adopted to harmonize the legislation function of the two chambers. Furthermore, Nwabuzor and Mueller (1985) noted that federal political structures, such as those found in Nigeria, the United States, the Soviet Union, Canada, Australia and Switzerland, often adopt bicameralism in order to protect the interests of the minorities. Some systems, such as Great Britain, the Third Republic in France and the former Nigerian House of Chiefs in the 1960s, adopt bicameralism to enable the upper house check against hasty legislations.

In a similar argument, Edosa and Azelama (1995) averred that the bicameral type of legislative structure is more common with federal states stemming from the imperative of one house to protect the special interests of minority or regional groups in such states. They noted that some federal states such as Nigeria, United States, Switzerland, Canada, Germany and Australia have opted for bicameralism on this basis. According to them, however, some countries such as Britain, second chamber is adopted to play a somewhat conservative role or to serve as a check on radical legislation of the lower house. The British House of Lords, according to them, has usually been disposed to delaying, moderating or out-rightly preventing fierce legislations of the lower house – the House of Commons.

A similar situation is found in the defunct post-independence Nigerian House of Chiefs at the regions. France second chamber is made up of members who are elderly and are, therefore,

expected to be conservative and also moderate the activities of the lower chamber (Nwabueze, 1982; Lafenwa, 1991; Edosa&Azelama, 1995; Oyediran, 2003; Egwu, 2005).

This double-chamber legislature is found in countries such as Nigeria, France and United States. The Congress of the United States comprises the Senate (Upper House) and House of Representatives (Lower House). Similarly, the National Assembly of Nigeria is made up of the Senate (Upper House) and House of Representatives (Lower House). France legislative body also comprises of the Deputies and the Senate.

In the case of Nigeria, the country had a unicameral arrangement at the federal level up to the 1954 Lyttleton Constitution. It, however, adopted a bicameral structure at independence. This arrangement was maintained in the 1979 and 1999 constitutions. Ghana and New Zealand also adopted a bicameral legislature after attainment of independence.

In France, however, bicameral legislature was not adopted until the third republic. France's second republic constitution provided for a unicameral legislative structure till 1952 when the republic was abolished.

The Supreme Soviet of the former USSR comprised of the Soviet of the Union and the Soviet of Nationalities. The power of this legislative body was unrestricted including amending the constitution. China, Yugoslavia, Czechoslovakia and other communist countries, however, have a different bicameral legislative arrangement in that legislature in these countries are closely linked with the state party. The two chambers though are supposed to act as checks on the other, such checks are minimal because major debates on policy demands is done with the party rather than the legislature (Edosa&Azelama, 1995).

In countries where bicameralism operates, however, the constitutions ensure that one chamber provides the opportunity for equal representation of the federating units while the diverse interests are represented in the other chamber. In addition, bicameral legislature makes it difficult for the legislature to be controlled by a despot or demagogue (Abonyi, 2006). It also provides opportunity for wider representation of various interests groups in the country. Furthermore, the arrangement serves as check against hasty passage of law and gives opportunity for division of labour between the two houses (Heywood, 2007; Okoosi-Simbine, 2010).

The other type of legislative structure is the single chamber legislature popularly referred to as unicameral. Edosa&Azelama (1995) and Abonyi (2006) noted that this type of legislative structure exists when there is only one legislative body in a country. This practice, according to then is less common than the bicameral legislative structure. China operates unicameralism. Israel established a single-chamber legislature (the Knesset) in 1948, the second republic constitution of France had unicameral legislative arrangement which lasted between 1848 and 1952. Similarly, Nigeria had a unicameral legislature at the federal level up to the 1954 Lyttleton Constitution and changed to unicameralism at independence (Akinboye&Anifowose, 2011). New Zealand and Ghana also had unicameral legislature before independence. A two-chamber legislature was abolished in Denmark in 1954 and Sweden in 1970 (Edosa&Azelama, 199; Heywood, 2007). For these countries the choice of a single-chamber legislature was predicated on the fact that unicameralism is more streamlined and more effective especially in terms of responding to the needs of small and relatively cohesive and homogenous political societies (Abonyi, 2006). In addition, its structure is simple and less expensive to run and avoids delay in law making (Heywood, 2007; Okoosi-Simbine, 2010).

Edosa and Azelama (1995) and Okoosi-Simbine (2010), in another dimension, see the legislatures as differing considerably in size, composition, operation, role, tenure of office and internal rules from one democracy to the other. Nwabuzor and Muller (1985) averred that such factors as the role of the presiding officer, the establishment of the order of business, legislation process, number and power of legislative committee, degree of intra-party discipline expected and manner of terminating debate on questions under consideration account for the differences among countries. They noted that while the size of the legislature in Iceland, New Zealand and some African countries are relatively small, the legislative body of the defunct Soviet Republic – Supreme Soviet, comprised of about 1,500 members. With respect to the term of office, the lower house of the legislature in Britain, Canada, France, India, Italy, Ireland and South Africa operates a 5-28 year tenure of office while in the United States of America, members of the legislature are elected every two years. In Britain, on the contrary, members of the upper house hold office for life and may even be succeeded by their heirs. Nwabuzor and Muller (1985), however, noted that countries which operate short-term tenure for their legislature do so because of the need for the representatives concerned to reflect better the ever-changing currents of public preference regarding government policy. They argue that the longer term tenure is, however, to ensure the stability of national interests which do not have to be bent to constantly changing public opinion.

Executive-legislative interface in Nigeria's Fourth Republic: Empirical Evidences

Executive-legislative interface in the Nigeria's Fourth Republic have been two-fold namely, collaborative executive-legislative interactions and conflictive executive-legislative interactions. Still dwelling on earlier observation, in 2001, two years into the commencement of Fourth Republic in Nigeria, conflict between the National Assembly (House of Representatives and Senate) and the executive at the federal level of government was widely reported by the press. The conflict transcends the relationship between executive and legislature at federal level down to various states and even spilling to the local government councils. Major effect of such conflict was the impeachment of key personnel in both executive and legislature, such as Speakers, Deputy Speakers and Governors etc. (Punch, 2007).

On several occasions conflict between executive and legislature have been heating up the polity, to such an extent that Nigerians have feared that the Fourth Republic would be short-lived due to the recklessness and greed of some political elites. As Soyinka (2010) assert that Nigerians should rescue the nation from the cabal of reprobate gangsters, extortionists, and even political murderer. Utomi (2010) also remarks that the only thing that will save Nigeria is for the people of Nigeria taking over the streets of Nigeria, demanding that the constitution be upheld; that the rule of law be respected. Nonetheless, the collaboration between these institutions have also preserved the Fourth Republic from collapse as with the case of the power vacuum crisis which occurred in 2010, after the demise of President Umaru Musa Yar' Adua. Some ministers and some clandestine elements blatantly refuse to allow Dr. GoodluckEbele Jonathan, who was President Yar' Adua's Vice-President to be sworn in as the substantive President and Commander in- Chief of the Armed Forces, even after remaining the Vice President for few months after President Yar' Adua's demise.

However, Professor Dora NkemAkunyili (a former Federal Minister of Information) decided to break the long silence that has greeted the power vacuum crisis by writing a memo to the Federal Executive Council (FEC), dated 4th February, 2010, expressing the urgency in making the vice president, Dr. GoodluckEbele Jonathan, an acting president. In her memo, she boldly expressed that: "we should remember that permanent secretaries have been waiting to be

sworn in for two months, meaning some ministers do not even have permanent secretaries now...the vice president has no constitutional power to take any bill to the National Assembly...though the VP deployed troops to quell Jos riot, many Nigerians said it was unconstitutional (*Africana* June 21, 2010).

The executive power vacuum was such that important public offices which needed to be filled by executive appointment could not be filled because the vice president enjoyed no real executive power until certain provisions of the constitution are met. The executive vacuum did not only leave certain offices unfilled, but also encouraged the pillaging of the national resources by government office holders (TELL, March 8, 2010, P.27). This was possible because not only was there nobody officially authorized to oversee the running of government business, but there were also some ministers, who unsure if they would survive the likely shake up in cabinet dissolution that would result from a transfer of power, felt the need to mop up whatever they could before they were removed from office (TELL, March 8, 2010, P.27). The resultant effect was the intensification of pressure on the cabinet to make the president transmit a written declaration to temporarily transfer power to the vice president, and on the legislature to intervene before the democratic enterprise crashes (TELL, March 8, 2010: p. 20-27; March 15, 2010: pp.32-34). By the time the executive eventually transmitted power to the National Assembly, both the Senate and the House of Representatives invoked the doctrine of "power of necessity", which saw Dr. GoodluckEbele Jonathan becoming the substantive President and Commander-in-Chief of Armed Forces of the Federal Republic of Nigeria. This bold step taken by the National Assembly saved the Fourth Republic from collapsing.

At other times also, the National Assembly issued several impeachment threats to the President for alleged failure to carry out its legislative enactments, while in some states also, some 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 OlusegunObasanjo. 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 AyodeleFayose 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.

Although, Murray (1975) has noted that when the executive and legislature are headed by different parties, there is bound to exist conflict, this is likely to render the government ineffective as a result of disagreement in policy directions. This argument should not be considered as a blanket statement, because there are many instances where the leadership of the executive and legislature belong to the same party, yet they are enmeshed in unending conflict. A typical example of this scenario was what happened at the beginning of Nigeria's Fourth Republic, where the leadership of both the executive and legislature belonged to the same ruling Peoples' Democratic Party (PDP), yet the executive led by President OlusegunObasanjo, displeased with the way the parliament was querying his submissions to the parliament; President Goodluck Jonathan government had it rough with the House of Representative lead by his party member, Hon. AminuWaziriTambuwal and more recently President MohammaduBuhari led executive has been enmeshed in a turbulent battle with both chambers of the National Assembly led by his party men.

Clearly, the conflict ridden relationship that exists between the executive and legislature at the federal level has been slowing down the process of governance, thereby having debilitating effects on the most desired development in the country. All these are pointing to the kind of undue interference of the executive arm of government in the affairs of the legislative arm of government as it has been observed in Nigeria that removal from office of any principal officer in the legislature is always sponsored by the Chief Executive. This often sparks off the conflict or reaction to the conflict already existing. On the other hand the executive has also received its fair share of the nock from the legislature; often through delay in passage of Executive Bills, threats of impeachment and even outright removal from office.

Previous literatures have also 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 7th 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 8th Assembly is equally having running battles with the executive following Sen. Bukola Saraki and Hon. Yakubu Dogara'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." It is imperative that both the executive and legislature close ranks to promptly and constructively resolve conflicts resulting from their different actions in order to avert its dysfunctional consequences on the democratic process. In specific, this constant conflict between the executive and the legislature hampers the much needed development in the country as being presently experience both at the national and state levels.

Research Methods

The study engaged both primary and secondary sources of data. The required primary data were collected through the use of both the closed and open-ended questions with different sections. The secondary data on the other hand, were gathered from government gazettes, Legislative Hansards, bulletin, magazines, journals, newspapers, articles, and relevant textbooks, materials from internet, and archival documents on the subject area. A sample of 100 respondents from population of 1000 were carefully chosen, comprising 20 legislators, 20 members of the executive branch, 60 civil servants and electorates. The respondents were purposively selected at various locations such as: National Assembly Complex, Abuja, Federal Secretariat, Ado-Ekiti, University of Nigeria Enugu Campus (UNEC), and Federal University Oye-Ekiti, Ekiti State. The data obtained were analyzed using descriptive and inferential statistics.

Empirical Findings on Executive-Legislative Conflict and Development in Nigeria's Fourth Republic

This section below presents the descriptive statistics on the three (3) cardinal objectives of this paper:

Nature of interaction between Executive and Legislature in Nigeria's Fourth Republic

Table 1: Frequency Distribution of Respondents on nature of interaction between Executive and Legislature in Nigeria's Fourth Republic

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, 2018

Table 1 presents the responses of the respondents on the nature of interaction between executive and legislature in Nigeria's Fourth Republic. 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 form the nucleus of interaction between executive-legislature in Nigeria's Fourth Republic.

It can be seen also from the table with reference to the display of personal ego between the leadership of executive and legislature majority of the respondents bore their minds. It shows that 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.

Taking a look at the Table 1, it could be observed that arbitrariness and domineering attitude of the executive over the legislature equally attracted many responses from the respondents. 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.

Finally, while responding to whether victimization of the executive by the legislature through delay in passage of the budget was feasible in the way the executive and the legislature relate the following responses were gathered. Out of all the respondents 5 strongly agreed while 94 agreed representing 5% and 94 % respectively of the respondents. Meanwhile 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 in Nigeria's fourth republic.

Consideration of factors responsible for Executive and Legislature conflict in Nigeria's Fourth Republic

Table 2: Frequency Distribution of responds on the factors responsible for Executive and Legislature conflict in Nigeria's Fourth Republic

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, 2018

Table 2 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. 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.

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.

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.

Impacts of Executive-Legislature Conflict in Nigeria

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

Itemization of Findings on the negative impacts of Executive-Legislative conflicts in Nigeria's Fourth Republic

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.

Itemization of Findings on the positive impacts of Executive-Legislative conflicts in Nigeria's Fourth Republic

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.

Concluding Remarks

The study on this note concludes that Nigeria has not enjoyed enough democratic order and political stability as a result of constant executive-legislature conflict. It has not been a problem with its institutional design, but due to the ubiquitous political culture that continued to motivate political actors to struggle for political power in a manner contrary to lay down principles and institutional frameworks. Coupled with the state managers' tenuous relationship with production, politics has become the only lucrative business and the dominant means of wealth accumulation in town. Hence, the political elites fight fiercely to penetrate the state, access its political power and retain it at all cost once it is captured. In contrast to the conflict ridden relationship between the legislature and the executive, there is a more cordial relationship between the executive and the legislature in Nigeria today. However, although there is an appreciable progress in the executive-legislative relationship and some are quite serious enough to cause an imbalance on the fledgling democracy of the country.

Furthermore, the independence of the legislature in Nigeria was greatly threatened by the executive, especially at the early stage of the new democratic dispensation due to the deposition of the president. In every democracy, whether presidential or parliamentary, there is need for cordial relationship between the executive and the legislature in other to achieve good governance. This is of particular importance in presidential democracy which, by its nature breeds more executive-legislature conflicts and has the resultant effects of tending more towards democratic break down.

However, from this research, it was clearly noticed that conflict is inevitable and in a lot of cases serve to entrench democratic values because lessons are often learnt from the resolution of such disputes, but it is important that such conflicts are not allowed to be blown out of proportion.

Recommendations

The search for a harmonious relationship between the executive and legislature is a continuous one for in every human relationship, there must always be a reason for disagreement. Whatever makes for the success of a government is its understanding of the rules necessary to prevent such debilitating conflicts and the means of resolution of conflicts when they arise in order to avoid a breakdown of governance. In this vein, there is a need for Enlightenment Programmes on Executive-Legislative Relations; Collaboration between the Executive and the Legislature; observation of the principle of separation of powers; effective oversight function and independence of the Legislature and its Leadership. The most important means by which the legislature effectively and efficiently carries out its statutory oversight functions of supervising and scrutinizing the activities of the executive is the committee system. The capacity of the National Assembly (Senate and House of Representative) Committees especially those with direct responsibility for oversight and accountability should therefore be strengthened both in terms of infrastructure and staff capacity building. It is significant that both the executive and the legislature see their roles as mutually supportive. A separation of powers though, exists between the two organs; each needs the other to function properly. Thus a harmonious working relationship is the ideal that both should aspire and pursue.

Furthermore 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.
5. The executive should concentrate its activities on making policies and implementing same to address the needs and yearnings of the suffering Nigerian masses that are trapped in the poverty circle.
6. Both the legislature and executive should deem it necessary to always adopt dialogue in resolving their differences instead of resulting to outright confrontation that usually deadlocks the policy making and implementation process.
7. The legislature should enact legislations that would empower it to sanction the excesses and actions of the executive and MDAs that are inimical to the nation's development.

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