

**A STUDY OF LEGISLATIVE-EXECUTIVE RELATIONS IN
NIGERIA 8TH NATIONAL ASSEMBLY**

BY

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CERTIFICATION

This dissertation titled “*A Study of Legislative-Executive Relations in Nigeria 8th National Assembly*” presented by Chioma Rosemary Onyekaba (**PG/NILS/1818074**) has met the partial requirements for the award of the degree of Masters in Parliamentary Administration (MPD) of the National Institute for Legislative and Democratic Studies/University of Benin, Edo State.

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DECLARATION

I hereby declare that this dissertation is a product of my research efforts, undertaken under the supervision of Dr Usman Wali. It is an original work and no part of it has ever been presented for the award of any degree anywhere. All sources of information have been duly acknowledged through the references.

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APPROVAL PAGE

This is to certify that this dissertation “*A Study of Legislative-Executive Relations in Nigeria 8th National Assembly*” has been read and approved as having met the partial requirements for the award of the degree of Masters in Parliamentary Administration of the University of Benin/National Institute for Legislative and Democratic Studies is approved for contribution to knowledge.

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DEDICATION

This work is first dedicated to God Almighty, for bestowing me with the strength, courage, and knowledge to write it. Secondly, to my loving husband, Prince Eze Madumere, MFR, KSC, FNIM, and my irreplaceable family.

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LIST OF ABBREVIATIONS

APC – All Progressives Congress

CBN- - Central Bank of Nigeria

CCTV – Closed-Circuit Television

CSOs – Civil Society Organizations

EFCC – Economic and Financial Crimes Commission

FERMA – Federal Road Maintenance Agency

FSP – Fiscal Strategy Paper

MDAs – Ministries, Departments and Agencies

MFBNP – Ministry of Budget and National Planning

MTEF – Medium-Term Expenditure Framework

NABRO – National Assembly Budget and Research Office

NDDC – Niger Delta Development Commission

NDI – National Democratic Institute

INEC – Independent National Electoral Commission

LNG – Liquefied Natural Gas

PDP – Peoples Democratic Party

SPSS – Statistical Package for Social Sciences

YPP – Young Progressives Party

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ABSTRACT

This study examined legislative-executive relations in Nigeria 8th National Assembly. The study was motivated by the strained relationship that characterized previous sessions and the need to device an effective mechanism for a harmonious legislative-executive relation. Therefore, the specific objectives were to: examine the history of legislative-executive in Nigeria, examine the nature of legislative-executive relations in the 8th National Assembly and how it affected legislation during the covered period, and suggest strategies to improve legislative-executive relations in Nigeria.

The study adopted a mixed research design, employing the purposive sampling technique. Therefore, quantitative and qualitative methods of data collected were used. The respondents who provided the primary data were selected using purposive sampling technique, while secondary data were taken from government gazettes, legislative Hansards, journals, newspapers, term papers, books, materials from the internet, and archival documents on legislative-executive relations. The Statistical Package for the Social Sciences (SPSS 16.0) was used to analyze quantitative data while content analysis was employed in analyzing qualitative data.

Findings from the analysis showed that there are institutional roles prescribed for each arm of government (executive and legislature), and that over the years this principle of separation of powers have not enjoyed proper application in the Nigeria political practices. However, the study identified that the relationship between the legislature and the executive suffered excessive friction in the 8th National Assembly which also affected legislation, as the interference of the Executive in legislative business led the legislature to exert undue delays on executive demands.

Stemming from the above, to enhance legislative-executive relations and create room for effective legislation, the study suggested discouraging pride and personality clashes, abiding by the dictates of the constitution, fashioning strategies for the execution of overlapping functions, amongst others, as strategies to enhance legislative-executive relations and effective legislation for improved national development.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

In Nigeria, since the return of democratic governance in 1999, and after over a decade of military interregnum, relations between the legislative and executive arms of government have raised serious concerns for observers. At best the relationship between the two arms of government has been the case of the old tale of an unholy alliance of strange bedfellows. (Momoh, 2020) Today, circumstances of our democratic or even political life is awash with the gory melodrama of sprees of lack of co-existence and understanding among these arms of government even though from all indications this was not the intent of foremost theoretical architects of modern democracy such as A.V Dicey or even Baron the Montesquieu when they conceived the principle of checks and balances and separation of power to serve as a guide for future generations such as the current inhabitants of Nigeria. (Kargbo, 2007).

The principle of checks and balances as Kargbo observed, create connecting links among the three arms through empowering each arm to limit the powers of the other arms and create a balance of power among the three arms (Kargbo, 2007). The principle of checks and balances and separation of power was therefore, designed to serve as a medium for not just constructive criticism but also for ensuring working relationship that will facilitate political growth and development.

The relationship between the executive and the legislature in the legislative and oversight processes is complex, yet dynamic and robust, with interdependent responsibilities and power-sharing among these two arms of government. The Constitution bestows on the Executive the responsibility to draft policy in the context of a legal framework, which in essence gives effect to a “draft bill” which is then referred to Parliament for consideration and deliberation. Likewise, the Constitution bestows on the Legislature the responsibility to pass legislation which the executive must implement. (Kolawole Daniel, 2017).

The legislature is part of the “State” and shares in the responsibility to ensure that sound policies and laws are passed. Parliament’s role is to represent the people and to ensure government by the people under the Constitution. This is done through facilitating public involvement in the legislative process and having political oversight over the Executive. The extent to which the legislative arm of government effectively fulfils this role depends on the balance of power between itself and the executive. This balance of power can also shift, depending on the political will on the part of both the legislature and the executive. The factors that impact on the power relations are complex and dynamic.

Critics as captured by (Jibo, 2015 and Aminu, 2016) tend to portray the legislature as selfish politicians who like to help themselves with public resources either to pursue individual, constituency or political party’s interest and not national interest. On the other hand, the above scholars equally portrayed the parliamentarian’s argument that the executive largely made up of non-elected members, cannot claim to understand the needs of the people

better. This is predicated on the assumption that the parliamentarians made up of elected representatives who logically understand the needs of the people (Jibo 2015 and Aminu, 2016)

However, in the bid to enhance a healthy relationship between the legislature and executive particularly on budgetary matters, the 1999 constitution of Federal Republic of Nigeria, stipulated the duties and responsibilities of the two arms of government in section 81-83 and section 121-123 of the constitution for federal and state respectively.

1.2 Statement of the Problem

Over the years, the principle of separation of powers has become the cornerstone of democratic governance which aims at ensuring the prevalence of basic human rights/freedoms and prevention of injustices and tyranny amongst the citizenry. Countries that operate it as a political system articulate clearly, in their respective constitutions and related laws, the power of various arms of government as well as how each relate with the other to ensure smooth governance transactions.

Nigeria's first experience with the modern democratic system was with the Westminster parliamentary system of Britain having been its colonial master. However, the first Republic and the parliamentary system were truncated by the military which ruled till 1979. The action of the military denied the politicians the opportunity to learn to accommodate one another for mutual co-existence and consolidation of democratic ideals. In 1979, a bicameral presidential system was introduced via the promulgated 1979 constitution.

The system allowed for the full operation of the principle of separation of powers between the executive, legislative and judicial arms of the government. It was envisaged that the checks and balances that would ensue in the operation of the system will auger well for the unity and political growth of the country. Interestingly, at the first trial, there were no serious cases of executive-legislative impasse apparently “due to effective control of the leadership of the two arms by the then ruling party (NPN)” (Igbokwe-Ibeto, 2015). However, despite the seemingly smooth relations between the arms of government, the second republic did not survive another military incursion due to what the military then referred to as “inept and corrupt leadership” (Graft, 1985).

In 1999, the Military handed over power to the civilians under the 1999 constitution as amended which retained the presidential system model of governance with full separation of powers between the three arms of government. The understanding was that the civilians would have learnt and were prepared for good governance.

The relationship between the executive and legislature during the 7th National Assembly was too cordial that it raised a question of compromise. The cordiality cannot be divorced from apparent collusion by both arms of government to defraud the nation. The investigation of the Economic and Financial Crime Commission (EFCC) into some notable members of the executive and legislative arms revealed monumental and atrocious frauds of great magnitude. The legislative power (function) of the National Assembly was rarely used to ensure financial accountability and probity. Indeed, the three arms of government could not

be exonerated from financial impropriety (Okotoni, 2017). There were several high profiles of alleged corrupt practices in the three arms of government.

Against this background, it becomes imperative to periodically examine the executive-legislative relation in Nigeria's governance process with a view to highlighting any relational challenge that could constitute barriers to effective legislation or implementation of government policies.

The study therefore examines the legislative-executive relations in Nigeria from 2015-2019 and how the relationship affected legislation in the 8th National Assembly.

1.3 Objectives of the Study

The main objective of the study is to examine legislative-executive relations and effective legislation in the Nigerian National Assembly during the period between 2015 – 2019.

The study aims to achieve the following specific objectives:

- i. To examine the history of Legislative-Executive Relations in Nigeria.
- ii. To examine the nature of the relationship between the Executive and Legislature in Nigeria's 8th National Assembly and how it affected legislation during the covered period.
- iii. To recommend steps that can be taken to improve Legislative-Executive Relations in Nigeria.

1.4 Research Questions

The following questions will be addressed in the course of this study:

- i. What is the history of Executive and Legislature Relationship in Nigeria?
- ii. How did the relationship between the Executive and the Legislature affect legislation in the 8th National Assembly?
- iii. What steps can be taken to improve the relationship between the Executive and Legislature in Nigeria?

1.5 Scope of the Study and Limitation of the Study

The study will focus extensively on the relationship between the executive and the legislature in the 8th National Assembly of the Nigerian Parliament and how it affected legislation during the covered period.

Furthermore, the study would propose strategies, which when adhered to, may accelerate the achievement of qualitative relationship between the legislature and the executive geared towards National development.

Finally, the study will be limited to Eighth (8th) Assembly of the National Assembly (2015-2019). However, because of its historic nature, lessons will be drawn from the Seventh (7th) Assembly for inferred knowledge.

1.6 Significance of the Study

One of the institutions that guarantees adequate participation of the people in a democratic government is the legislative arm, charged with the responsibility of making appropriate legislation for the nation and acting as a watchdog on the executive. Hence the legislative arm plays a pivotal role in any democratic dispensation.

Although there might have been a lot of works written on the Legislative-Executive Relations in Nigeria, only a few had touched on the importance of these relations in enhancing effective legislation and not much has been written about these relations in the 8th National Assembly. It is hoped that this work will be of immense help and guide to the current and future leaders of today in the aspect of legislation and intra-governmental relations in Nigeria.

This study will help to revive the consciousness of leaders to the fact that there is a need to foster harmonious executive and legislative relations in Nigeria in order to ensure effective legislation and good governance.

The study is also significant in the sense that it will serve as a useful avenue for evaluating the legislative-Executive relation during the said period, their impacts, challenges and prospects. It will also be useful in promoting greater understanding of the importance of intra-governmental relations and interactions in Nigeria. Lastly, the study will constitute a contribution to knowledge and a reference point for future research endeavor in the area of legislative-executive relations.

1.7 Operational Definition Terms

Legislature: the branch of government which performs the function of law-making through deliberations, oversight and representation.

Executive: the branch of government responsible for the implementation of laws and policies adopted by the legislature.

Legislation: the preparing and enacting of laws by local, state, or national legislatures.

1.8 Outline of the Dissertation

This dissertation is divided into five chapters. Chapter one contains the general introduction which consists of the background of the study, statement of the research problem, research questions and objectives, significance of the study, scope and limitation of the study, and the outline of the research. Chapters two provides a thorough review of literatures and theoretical framework. Also, Chapter three focuses on a comprehensive statement of the research methodology. In addition, Chapter four with provide the presentation of the data and discussion of results.

Finally, Chapter five provides a summary of the study, recommendations, contributions of the research to the body of knowledge and conclusions based on findings from the study.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

Although a plethora of literature exists on the legislative-executive relations, limited literary and other information exists on the executive-legislature relations in Nigeria. This chapter extensively reviews previous related studies, observations, opinions, comments, ideas and knowledge that shed light on the key concepts under discussion. The essence is to situate this study in proper context and to create a bond between related previous studies and this research work, identify the gaps in knowledge and fill these gaps accordingly. Thematic method is adopted in reviewing literature on political institutions, forms, model and operations of government and other issues that are germane to the relationship between the executive and the legislature in a presidential system of government. Attempt is also made to situate this study within a theoretical framework relevant to the field of study.

2.1 Political Institutions

The fundamental expectation of the modern state is effective and efficient governance. This role is performed by the government which not only provides security to the people but also looks after their basic needs and ensures their political and socio-economic development (Gill, 2002). These objectives are achieved by the government through the enactment of binding rules, the giving of direction to societal activities and

the enforcement of the rules to ensure compliance (Bang & Esmark, 2009). From the most ancient times to the present, governments have performed these important functions by mapping out policies, implementing and enforcing the laws and adjudicating or administering justice (Nwabuzor & Mueller, 1985; Akintola, 1999). It is imperative therefore, that social acceptance of the power of the government to control the people must be voluntary and recognized by the people.

Government fulfils its role of effective governance by dividing its powers and functions between its institutions with each performing some specific functions (Edosa & Azelama, 1995). Perhaps it is because of the division of the powers and functions among these institutions of governance that government is defined as a set of institutions through which the will of the state is realized (Adler, 1996). Thus, institutionalist scholars averred that powers and functions of government are vested in the legislature, the executive and the judicial organs of government which are coordinate or independent (Jones, 2002). Constitutional governments all over the world recognize these three basic departments of government (Ball, 1977; Nwabuzor & Mueller, 1985; Edosa & Azelama, 1995; Akintola, 1999; Magill, 2001). Laski (1992) reiterates this position when he averred that since the time of Aristotle, it has been generally agreed that political power is divisible into three broad categories. These authorities, according to him, include the legislature which makes the general rules for the society, the executive which seeks to apply those rules laid down by the legislature to situations and the judiciary which settles

disputes between government and its citizens and those between citizens. Kousoulas (1975) also lent his credence to the tripartite political administrative division of governmental functions. He viewed that all contemporary states, in practice, have three branches of government responsible for carrying out the basic functions of government. According to him, one set of officials has the primary function of enacting laws, another set of officials implement state policies and decisions while the third settles disputes and punishes those who contravene the law of the land. The next section reviews extant literature on these institutions.

2.2 Legislature

Lafenwa (2009) defines legislature as people chosen by election to represent the constituent units and control government. Okoosi-Simbine (2010) asserts that legislature is law-making, and policy influencing body in the democratic political system. Bogdanor (1991) affirms that legislature is derived from a claim that its members are representative of the political community, and decisions are collectively made according to complex procedures. The state of the legislature has been identified as the strongest predictors on the survival of every democratic development (Okoosi-Simbine, 2010). The centrality of the legislature is captured by Awotokun (1998) when he asserts that legislature is the pivot of modern democratic systems. Edosa & Azelama (1995) states that legislatures vary in design, structure, organization, operational procedures, and selection process as well as sizes, tenure of office

and nature of meetings. The Legislature is the chief source of Law. It is the legislature which formulates the will of the people and of the state into laws and gives it a legal character (UNDP, 2003).

The members of the legislature (Parliament) are called Legislators or Parliamentarians. In a democracy, Legislators are most popularly elected. Legislators all over the world respond to and must attend to the demands and requests from their constituents. It is part of their job description. Legislators act as the people's representatives charged with law making and policy formulation functions. Collectively, legislators act as a check on the executive through oversight responsibilities (Stephanie, 2006).

Legislatures (Parliaments) are set up to represent the people and play central roles in national development and the sustenance of a constitutional democracy. Democracy depends on Legislatures for its vitality. Legislatures serve as the key political forum through which people's concerns are voiced and interests are mediated. The Legislature is therefore uniquely and powerfully situated to frame the nation's laws and policies, and to ensure that the government is open, transparent and accountable to the people (Joel;125-6).

A common controversy about the structure of a modern legislature is whether it should be unicameral or bicameral. Bicameralism means a legislature with two houses/chambers (e.g. Senate and House of Representatives) while Unicameralism means a legislature with a single house/chamber and in the case of Nigeria, we run a bicameral legislature. In a bicameral type of arrangement two legislative chambers exist in a country with each performing its

constitutional role. However, the intricate rules adopted usually harmonize the legislative function of the two chambers (upper and lower chamber). Edosa and Azelama (1995) assert that bicameral legislature is common in federal states that stem from the imperative of one house to protect the interests of minority groups in such states. Nigeria operates in a federally bicameral arrangement on the dictates of 1954 Lyttleton Constitution. The House of Senate (Upper House) and House of Representatives (Lower House) jointly called National Assembly of Nigeria. The two chambers act as a check on other arms of government even though such checks are minimal because the major policy demand debate is on party affiliations rather than national interest (Edosa & Azelama, 1995). This arrangement enhances passage of law and gives opportunity for division of labor between the two houses (Okoosi-Simbine,2010). In addition, bicameral legislature provides an opportunity for wider representation of various interest groups in a country from one democracy to the other. Nwabuzor and Muller (1985) notes that such factors like presiding officer, order of business, legislative process, legislative committee, intra-party discipline, manner of debate consideration account differ among countries. Nwabuzor and Muller (1985) assert that countries that operate short-term tenure for legislature do so because the representatives reflect on the betterment of public preference in respect of government policy. The long-term tenure ensures the stability of national interests which has no changing public opinion.

The emergence of the legislature dates back to the twelfth (12th) century. It is said to be a product of medieval European civilization transformed in the age of democracy to suit the needs of contemporary political systems (Loewenberg 1995: 736). Boynton (2001:279)

states that before and after the second world war after colonialism failed, nations grew in number, constitutions incorporate national legislature to replace extant governing institutions throughout the world while the influence of legislature continues to be on the rise in 21st Century approaches. The popularity of the legislature cannot be divorced from the wave of democratic growth across the continents. Indeed, if democracy is a system anchored on the informed and active participation of the people then the legislature is a vehicle for equal and wider representation (Yaqub 2004). The legislature differs in composition from one system of government to another as well as in their mode of representation. For instance, in a parliamentary system, members of the legislature are fused with members of the executive while in the presidential system the legislature and executive are separate arms of government managed by different individuals to promote good governance. However, the legislators are elected in some countries like Nigeria, while in some other countries they are appointed. In spite, of the differences in legislatures across the world, they have a common structural character that distinguishes them from other arms of government in a democracy. The common feature of legislatures is that the relationship between members is not that of authority and subordination but that of equality of members since they derive their authority from being representatives of the people (Saliu 2004). The legislature may exercise different functions from time to time depending on the political system. The two cardinal principles of legislatures in a democratic setting is law making and acting as a watchdog on behalf of the people, without which democracy becomes messed up. Odinga (1994) noted that:

If the constitution is the embodiment of the aspirations, ideals and collective will of the people, the parliament is the collective defender and watchdog of the aspiration, ideals and collective will of the people. If the constitution is the social contract between the people and government, the parliament is the advocate for the people and the arbiter of the national interest. Indeed, if the constitution is like the Bible, Quran and other religious treatises the covenant between the people and their leaders, the parliament is the repository and protector of the oracles of the political covenant and social contract between the people and government.

Consequently, for any democracy to grow, the legislature not only make laws for the good ordering of the society (including appropriation laws) but must as well ensure that such laws and others are not violated by other arms like the executive (Poteet, 2010). The Legislature does this by acting as a watch-dog over their policies through its oversight function. Most constitutions tend to document these two important functions of the legislature (Taiwo & Fajingbesi, 2004). In other words, legislatures accomplish their tasks through men and women of proven integrity and good character that eschew temptations of falling to such issues legislated against. It is by this action that the legislature can be considered as a sub-unit of a government that fosters good governance and democratic sustenance. The extent to which the Nigerian legislature of the 8th Assembly conformed to this will be discussed in the course

of this research. The art of lawmaking requires being a thinker, a virile agent of social change and a graduate of legislative studentship. The floor of standardized legislative chamber must be composed of a team of experts renowned in natural and social science disciplines including gurus in various fields like law, security expertise, medicine, pharmacy, sociology, theology, politics, diplomacy, environmental safety and human rights.

2.3 Scope of Legislative Powers

2.3.1 Power to Make Laws

Legislation is the primary and the most crucial role of the legislature (Edosa & Azelama, 1995). These laws may originate as private members bills, or they may originate from the executive branch (Benjamin, 2010). Awotokun (1998), opine that laws made by the legislature must be in the interest of the general populace with the expectation of modifying peoples' behavior and response towards a given situation, be of good quality and self-sustaining. Abonyi (2006) assert that bills are examined and passed through various stages, and in the process this could be altered by addition or deletion. However, the inputs of the legislature, the attitude of the executive and other factors such as concessions to the opposition and other groups against some aspects of proposed laws greatly reduce the legislative powers to that of a mere deliberative assembly. Heywood (2007) stated that the twentieth century witnessed a progressive weakening of legislation power in the form of a decline of

legislatures. This situation had reduced many legislative assemblies to mere “talking shops” that do little more than rubber-stamp decisions that had effectively been made elsewhere.

2.3.2 Legislative Oversight Powers

The oversight function is a major component of the activities of modern legislature irrespective of the form of government in practice. Saliu and Muhammad (2010) indicate that legislative body takes active role in understanding and monitoring the performance of the executive arm and its agencies. It is described as surveillance on the activities of the executive arm. The legislature oversees government affairs and holds the person responsible for any actions and omissions (Fashagba, 2009). Adebayo (1986) reveals that legislative oversight cross-checks the executive by examining the activities of some chief executive, ministries, departments and agencies (MDAs) of government. The commonwealth parliamentary association (2002) asserted that the principle behind the legislative oversight was to ensure that public policy was administered in accordance with the legislative intent. The legislative function does not end only on the passage of bills but includes following or monitoring the activities for which the legislation was made. It is the responsibility of the legislature to ensure that such laws are being implemented effectively. The representative looks diligently in all the affairs of government, the eyes and voice to the will of its constituents (Simmons, 2002). The oversight function of the legislature exists as a corollary to the law-making process. For instance the legislature controls the executive in financial behaviour and appointments of key

officials such as ambassadors, ministers/commissioners amongst others. Lafenwa and Gberevbie (2007) assert that effective legislature in governance enhances transparency, accountability, efficiency and fidelity in government.

2.3.3 Power of Representation

Representation is the central role of the legislature; the complexity of modern administration has made it impossible for the people to run the affairs of the state as it was in the early Greek City-States (Awotokun, 1998). Legislative institution is a mechanism in which the population, special interests and diverse territories are represented and guaranteed in the scheme of things. Edosa and Azelama (1995) argued that representative function provides a platform where citizens and different groups are opportune to have a say in governance. This gives different groups in a society or groups the opportunity to articulate and advance their interests and concerns. Roberts (2002) states that representation plays dual roles. First, they represent their people in government, and second, they represent government in their various constituencies. Saliu and Muhammad (2010), states that the fulcrum of a legislature articulate and aggregate diverse interests of the represented constituencies into the policy process. The power of representation enhances the legitimacy of public policy, reduces alienation and reduces estrangement between government and the governed to enhance stability in the system (Edosa & Azelama, 1995).

2.4 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, to decide on the final choice of policies to be submitted to the legislative assembly for approval; secondly, it is the business of the Executive to see to it that the public services fully adhere to that policy as intended by the legislature; and thirdly, it ensures that it delimits and 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. They however, argued that while political structures have existed for centuries without separate agencies for making laws, state structures without Executive organ will be hard to come by. This position is also supported by Heywood (2007) when he averred that political systems could operate without constitutions, assemblies, judiciaries, and even political parties, but cannot survive without an Executive arm to formulate government policy and ensure that they are implemented. Similarly, Ranney (1975), in looking at the Executive, noted that it is the arm of government that is basically concerned with the application of the

authoritative rules and policies of any society. It is the Executive which formulates and then implements various policies.

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 encompasses 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. Similarly, Appadorai (1975) lends his 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. This, according to him, highlights the difference between politicians and the civil servants, and more broadly, politics and administration. In his final analysis, he posits that more commonly, the term Executive is now used in a narrower sense to describe the smaller

body of decision-makers who take overall responsibility for the direction and coordination of government policy. Puke (2007) also sees the Executive from the broad perspective as he defines the Executive as the arm of government responsible for implementing laws made by the legislature. While Puke (2007) defines the Executive from the broad perspectives, he however equates the functions of the Executive with that of the Chief Executive – the President. This makes the functions of the executive rather ambiguous because the term “President” may not have the same responsibility in all political system. The President of India, for example, may not perform the same responsibility as the President of United States of America.

Since the Executive implements the laws made by the legislature, it is necessary that it should comprise competent and efficient people. As observed by Fabbrini (1995), the Executive must convey a sense of public purpose, forged through interaction with public opinion that counteracts the inertia of well-organized minorities and other powerful interest groups.

The status, powers and functions of the Executive are always not everywhere or 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.

2.4.1 Scope of Executive Functions

Although the Executive is generally identified with implementation of government policies and programmes, the scope of its functions appears to permeate into legislative and judicial functions also. Anifowoshe (2008), however encapsulates the functions of the executive into three broad categories: - administrative, legislative, and judicial.

- i. **Legislative Functions:** - the executive performs legislative functions by recommending and initiating bills for the consideration of the legislature. In addition, through delegated power by the legislature, the executive can make regulations, issue statutory orders, standards, guidelines, and rules necessary to meet changing circumstances. Furthermore, in a parliamentary system, the executive performs the political function of summoning and dissolving the legislature. The power of veto is a legislative function of the executive most especially in the presidential system of government.
- ii. **Administrative function:** - under this function, the executive administers the affairs of the state, directs, supervises and coordinates the implementation of laws passed by the legislature. Further, the executive appoints, control, disciplines and removes the higher administrative officers. Such appointments and removals however, have to be

confirmed by the legislative body. Another administrative function is the control of the armed forces, law enforcement, security and intelligence agencies. By this function, the chief executive (President) is the supreme commander of all the military and security forces and has the authority to commit them to a war against external aggression and to combat internal disturbances, tensions, insurgencies, and civil war. He has the responsibility of declaring a state of emergency in the country for the peace, order, safety and security of all. The chief executive is primarily responsible for determining, coordinating and implementing the foreign policy objectives of the nation. He is the symbol of the nation in foreign affairs through his representation of the country at international events and negotiating and concluding binding treaties with foreign entities, governments and other global and regional institutions. The treaties, however, may need the ratification of the legislature for their domestic implementation in Nigeria.

- iii. **Judicial function:** - the judicial functions of the executive include issuing prerogative of mercy on offenders sentenced by competent courts of law and justice. The chief executive can grant pardon and amnesty to certain categories of offenders thus freeing them from legal consequences of their actions.

2.5. Legislature-Executive Relations and Effective Legislation

Aiyede and Isumonah (2002) explicated the imperative of interaction between the executive and the legislature when they posited that democratic consolidation can only occur in a context in which political institutions, especially the executive and legislature, are functional and interact in a way that reinforces confidence in the government and the process through which the offices of these government institutions are filled. In a similar dimension, Kopecky (2004) sees the relationship between the legislature and the executive as one of the key defining characteristics of the functioning of any political system. He noted the vital place that structural and legal factors hold in shaping the relationships between these two political institutions. This position is emphasized by Lijphart (2004) when he argued that the constitutional prerogatives vested in legislatures and the executive are most important because they define the broad framework for interactions between the two powers. Similarly, Posner and Young (2007) averred that institutionalized rules are increasingly becoming relevant in regulating the behaviours of political actors, especially in Africa. This new development, to Fashagba (2010), is heart-warming because it aligns with the postulation that democracy entails an institutionalized arrangement for arriving at political decisions.

While the institutional view of executive-legislature may hold strong as a factor that shapes the relationship between the executive and the legislature, numerous informal rules and conventions, such as the customs concerning nomination of members

to the cabinet following an election, are very important as well. Perhaps this is exemplified by Bernick and Bernick (2008) when they affirmed that such relationships are largely shaped by the attitudes and beliefs of the participants. They contend that these relationships are complex, depending on a range of formal and informal practices. Of course, while formal texts of constitutional charters and law are very instrumental to the relationships that exist between the executive and the legislature, however, such relationship hinges on the informal conditions and practices that permit these norms to be implemented in practice.

Constructive relationships between the executive and the legislative arms of government are essential to the effective maintenance of the constitution and the rule of law (Holme, 2007). In recent years, however, the character of these relationships has changed significantly, both because of changes in governance and because of wider societal changes. Scholars have been expressing a wide variety of viewpoints on legislative-executive relations, about conflict and cooperation, whether one or the other dominates, and whether benefits or liabilities result from either. While some see conflict between the executive and legislature as a necessary and beneficial pre-condition to limiting and controlling government (Aiyede, 2005), others view it as contributing to gridlock over major public policy decisions, thus making government ineffective (Mbah, 2007; Dulani & Donge, 2006).

2.5.1. Modes of Legislature-Executive Relations

Scholars are very keen to examine the modes of relationship between the executive and legislative branches of government. This relationship, according to Lijphart (1999), is inherently a power relationship and, more accurately, a power struggle.

King's (1976) typology of the mode of legislature-executive relations, however, finds prominence among scholars of the inter-branch relationship. With regard to legislative-executive relations, King's model has been seen as the most authoritative typology (Andeweg, 1992; Muller, 1993; Saalfeld, 1990; Andeweg & Thomassen, 2003; Boyko & Herron, 2009). King (1976) identified five quite separate and distinct patterns of political relationship that are generally subsumed under the phenomena of executive-legislative relations. These are: the non-party, intra-party, inter-party, opposition, and cross-party modes. The non-party or private member mode according to King (1976) is an interactive mode in which the executive and the legislature interact with each other as members of two distinct institutions. The intra-party mode addresses how government ministers compete and collaborate with backbenchers from their own parties, while the inter-party mode explains the relationship between government and different parties, i.e., this mode addresses how parties form and manage coalitions. The cross-party relationship, on the other hand, addresses how the government, backbenchers from governing parties, and the political opposition can unify on specific policy matters.

In considering the modes of legislature-executive relations, Anyaegbunam (2010) observed that legislature in most democracies, particularly Nigeria is often perceived by the executive as overstepping her constitutional boundaries in the performance of her oversight duties. This, the executive often sees as hindering the government from speedily meeting the needs of the public. Anyaegbunam (2010) noted further the legislature on the other hand, being the constitutionally ordained watchdog of the people, views the frustration of her investigative role, as a direct affront to the people's mandate. Thus, the legislature sees the executive's uncooperative attitude as a denial of the citizen's right to be acquainted with the executive's activities. This cycle of mutual suspicion usually degenerates into a frosty relationship between both arms of government. According to Anyaegbunam (2010), this experience in most countries has established three patterns of relationship. The first pattern of legislative-executive relations according to him is the polarized relationship which is a kind of worrisome antagonistic relationship between the executive and the legislature. The second pattern is the cordial relationship. In this type, according to Anyaegbunam (2010), executive-legislature disagreements over policies are resolved through healthy and mutual understanding. This mostly occur when legislative assemblies lose their constitutional oversight role to the overwhelming influence of the executive, thereby hampering the necessary checks and balances which should aid the social, economic and political well-being of the masses. The third pattern of executive-legislative relations is the mild

hostility. This is a kind of mild and inconsistent hostility short of outright antagonism between the executive and the legislature.

For Oyediran (1980) however, there are three types of legislature-executive relations. The first according to him is the rubber stamp assembly. The second type is that of hostile relationship between the executive and the legislature. Mbah (2007) noted however, that the hostile kind of legislature-executive relations is not peculiar to states where one party controls the executive office and another party controls the legislature. The third type of legislature-executive relationship, according to Oyediran (1980), is the cooperative relationship. He however noted that cooperative relationship can either be based on genuine respect, or due to ignorance.

In another development, however, many scholars of legislature-executive relations view the legislature as the first branch of government that, nevertheless, suffers a disadvantage in power to the more visible executive (Cheibub & Limongi, 2010). This they view owe to the fact that the executive, apart from having the responsibility of managing the state's administrative machinery, has an integral role to play in the legislative process. In addition, the chief executive, by the singular nature of his office, has a competitive edge in shaping the public perception of the other branches and, more importantly, public policy (Rosenthal *et.al.*, 2003; Bernick & Bernick, 2008). The increased executive power, Bernick and Bernick (2008) argue, does not necessarily

constitute or translate into an imbalance of power between the two institutions. In order to determine the interaction between the governor and the legislature, Bernick & Bernick (2008) suggest an evaluation of the success of the executive's legislative agenda, the frequency of vetoes (and overrides), budget approval, or gubernatorial appointments.

2.5.2. Factors Determining the Nature of Legislature-Executive Relations

Lijphart (1999), in an attempt at analysing the sources of presidential powers in a presidential system, identified three sources of presidential power which determine his relationships with the legislature. One is the power of the president as defined by the constitution. This constitutional power consists of reactive powers, especially presidential veto power and proactive powers, especially the ability to legislate by decree in certain areas. The second source of power of the president is the strength and cohesion of his party in the legislature. The analysis of Lijphart (1999) here suggests that party discipline is a determinant of legislature-executive relations. In this regard, the strength and cohesion of the president's parties in the legislature will affect his power relative to the legislature. The third source of the power of the president is his direct popular election.

From the three sources of the power of the president enumerated by Lijphart (1999) above, the first (constitutional power) and the third (direct popular mandate) sources both on the constitutional arrangement. Thus Lijphart (1999) tends to suggest

institutional designs as the major determinant of legislature-executive relations particularly in a presidential system of government. Jones (2002) also lends credence to the fact that the constitutional design of a country greatly determines the nature of legislature-executive relations in the country. According to him, the relationship between the executive and legislature in a presidential system is determined by the constitutional power of the president e.g. formal constitutional powers, agenda setting prerogatives and budgetary authority. This argument has been the position of the group of scholars known as institutionalist approach (Linz 1994; Lipset 1992; Lijphart, 1999).

The neo-institutionalists scholars have, however, found the para-constitutional practices and partisan powers of the executive as equally important predictors of legislative-executive relations (Hammond & Butler, 2003). According to them, informal factors such as personalistic, clientelistic, the support enjoyed by the executive's party in the legislature (majority, veto-sustaining or non-veto-sustaining) and the responsiveness of the legislators to the executive are important determinant of legislature-executive relations (Sargentich, 1993; Samuels, 2002; Chieub (2007). What is less clear is the extent to which these para-constitutional variables uniquely determine the relationship between the executive and the legislature.

Sargentich (1993) and Abonyi (2006), in another dimension aver that the relationship between the executive and the legislature depends upon many factors other than the constitutional structure. According to their arguments, such factors as a nation's political culture, its party system, and its electoral arrangement have great implications on the relationship between the two branches of government. This is because, politics is much more complex and multi-dimensional than a single-minded focus on constitutional formalities acknowledges. Accordingly, the relative power of the executive or legislative branches cannot be determined simply on the basis of a nation's formal type of governmental system. A number of political factors in addition to the constitutional arrangement that has been chosen have great implications for legislature-executive relations and government's stability.

2.6. Theoretical Framework

Theory is an essential ingredient in any research work, as it provides a foundational structure upon which a research work anchors. As posited by Bunch, (2005), a theory gives a framework for evaluating various strategies in both the long and short run, and for seeing the types of changes that they are likely to produce. Theory is a system of concepts and principles designed to enhance the understanding of a collection of events, facts, and phenomena (Sheila, 2001). A theory can help us to understand by providing a system of explanations, a framework, a way of looking at

things so that we may know not only that something is a certain way but also why it is that way, either in the sense of giving reasons for it or in the sense of revealing its causes, that is, what gives rise to it (Omotola, 2007). Situating a study within a theoretical framework thus bridges the range of facts that are to be investigated, and as noted by Goode and Hatt (1952), social science is theory-based, and its operations are guided by relevant principles of human behavior.

One of the most important distinguishing features of the behavioral revolution was the explicit concern with theory development. The idea is that political science had to develop some general framework of theories that could explain phenomena in a variety of settings (Peter, 2005:12). Some of such theories are the Montesquieu theory of separation of power, King's Theory or Typology of Modes of political Interaction, and the Structural-Functional approach, among others.

The relationship between the executive and the legislature is a classical topic in parliamentary administration. This relationship has, more often than not, been studied according to the Montesquieu formula of the separation of powers (Dalberg-Acton, 1949; Sabine and Thorson, 1973; Madison, 1992; Fabbrini 1995; Aiyede & Isumonah, 2002; Ikoronye, 2005; Aiyede, 2005; Fasagba, 2010) and King's Theory of Modes of

Interaction (Saalfeld, 1990; Andeweg, 1992; Muller, 1993; Andeweg & Thomassen, 2003 & Boyko & Herron, 2009).

The principle of the Separation of powers as a theoretical framework provides a useful guide to the distribution of legislative and executive powers. Nevertheless, when interpreted too rigidly and applied universally, it leads to misconception rather than enlightenment (Ball, 1977). Furthermore, as noted by King (1976), the Montesquieu theory of the separation of powers, though used widely in the study of interactions between the executive and the legislature, does not reflect the rise of political parties and the transformation of polities toward party democracies. King (1976) therefore postulated its typology of mode of political interaction. While admitting the clarity and comprehensiveness of King's theory in explaining legislature-executive relations, the fact that this theory was based on King's study of the British parliamentary system makes the theory faulty and of limited applicability. While the theory has been used as a theoretical framework for the study of inter-branch relationships in parliamentary democratic states in Europe, the political-cum-economic experience in other continents, such as in Africa, makes the theory inadequate to explain the intrigues and dynamisms of legislative-executive relationships. A more adequate theoretical approach to the study of legislative-executive relations is therefore needed. Such a theory would be one that takes into account the party composition of the executive and legislature and the intra-party differences between the government or the front bench opposition, on the one hand,

and the respective backbenchers on the other. Such a theory will recognize more than the two political actors constituted by the executive and the legislative powers in the Montesquieu or King formula.

The institutionalist approach has been a fundamental theoretical framework to the study of legislature-executive relations (O'Donnell, 1994; Linz, 1994; Fish, 2001; Hammond & Butler, 2003; Valenzuela, 2004; Lijphart, 2004). This approach assumes that conflict and cooperation between the executive and the legislature are conditioned by fundamental questions of institutional design (Linz 1994). According to this theory, features of a country's institutional framework account for observed political, economic and social outcomes in the country (Hammond & Butler, 2003). Institutions do not merely shape the strategies of actors, they also affect the probability distribution of certain political outcomes, and thus, a country's political structure, has great implications on policy outcomes (Lijphart, 2004; Cheibub 2007). While admitting the importance of institutional design as a predictor of legislature-executive relations, it is imperative to note that other informal or para-constitutional behavioural factors equally shape the nature of legislature-executive relations observable in a political system. As argue by Weaver & Rockman (1993), Steinmo & Tolbert (1998) and Hammond & Butler (2003) although institutional designs affect government capabilities, several other non-institutional factors sometimes mediate the impact of institutions. A more encompassing

theory that will treat a larger number of relations and produce a more complex analysis is therefore desired.

Some critics are of the opinion that structuralism is unlikely to achieve its objectives of providing a scientific theory of the political system because of the difficulties in applying it to the analysis of the political system – such as defining terms operationally and specifying which activities perform functions. They believe that Almond's structural- functionalist model presents a static model of society and, therefore, cannot account for change; it overemphasizes integration and, as a consequence, fails to deal with dysfunction (Charlesworth, 1968; Chilcote, 1998).

The criticisms against the theory of structural-functionalism have however, led to the subsequent work of Almond and Powell (1970) where the dynamism of political development was inculcated into the theory of structural-functionalism (Alexander (1970). Almond and Powell (1975) averred that the theory of structural functionalism can fit many phenomena, which at first sight appear quite disparate and unconnected into one framework. It gives context for and limits at some degree of reciprocal influence among all sorts of things – people, institutions and events. It also gives a number of common denominators for comparisons among outwardly very different polities: It assumes that whatever their institutional trappings and cultural, ideological, economic,

and even chronological and spatial differences, all societies share in the performance of a number of crucial political functions. With the theory of structural-functionalism, Almond and Powell (1975) noted that we are encouraged to see how the same political tasks are performed in somewhat different ways in different societies and invited, as it were, to fill in the terms in an equation, having presumably mastered the rudiments of political diagnosis by learning what the equation is.

Despite the criticisms against structural-functionalism, the approach provides a framework for the analysis of legislature-executive relations in this study. By this framework, the government is conceived as a social system and the executive and the legislature are political institutions viewed as structural parts or units of the political system or government. Each of these political institutions (also seen as structures) performs explicitly specified requisite functions that contribute to the stability, continuity and survival of the political system (Ray, 2004). While the legislature is saddled with the role of law making, the executive implements the law. The various functions of these structures are however, contained in the constitution of the land.

Since the executive and the legislature are open systems, these relationships are influenced by internal and external environments and by the presence of a legitimate force holding them together. According to Almond's structural-functional analysis, all

political systems must perform certain requisite functions (Peter 2005). These functions include policy making, policy implementation and rule adjudication which are carried out by the various arms of government. Thus, structural functionalism, as a framework for this study, provides an effective measure for assessing the different functions performed by the separate but interdependent organs of government in a presidential democracy. As emphasized by the structural-functional proponents, a study of the functions of these structural institutions is necessary for the understanding of the workings of the political system (Person, 1999).

With Almond's structural-functional theory therefore, legislature-executive relations can be described largely in terms of structure, personality, processes, mechanisms and functions. Radcliffe-Brown (1951) claimed that the rules of conduct within a society lead to a social structure consisting of defined roles that are coordinated by these rules. As these roles are enacted, they contribute to maintaining and stabilizing the social structure. In this regard, the alignment of the executive and the legislature to the rules of these social relations, their mutual interactions and collaboration in the policy process is critical for the stability and survival of the society.

2.7 Gap in the Literature

This chapter focused on the review of extant literature on the legislature and the executive and the relationship between the two institutions as well as how it affects

governance. The models of government which provides the institutional framework for the operations of the executive and the legislature are also reviewed. It also situates the study within a theoretical framework which provides a lens through which the subject of legislative-executive relationship is studied and understood. Evident from previous studies on legislature-executive relations is however, a consistent exemplification of the formal structure of legislature-executive relations while the informal structure has largely been neglected by researchers. Most analyses dwell on the institutional approach with emphasis on the structural design as it relates to legislature-executive relations. What is less clear however, is the extent to which institutions determine legislature-executive relations in the face of informal practices. A more in-depth study of legislature-executive relations with a view to determining the degree to which both institutional and informal factors correlate to influence legislature-executive relations is thus greatly desired at this juncture.

This position is further aggravated by the fact that models and constructs of these studies on legislature-executive relations are situated within the framework and political-cum-economic experience of the Western world. While the political systems of most African countries, particularly Nigeria, are largely adopted from the Western world, environmental influence seriously impacts the operations of these systems thereby resulting to different experiences despite similar structural designs. These factors therefore create a gap in knowledge on the intrigues and dynamics of legislative-

executive relations that could emanate from the political and socio-cultural environment of other continents, particularly Africa.

This study fills these gaps in literature by examining legislature-executive relations from a holistic perspective that considers the formal designs as well as the informal practices determined largely by Nigeria's environment.

CHAPTER THREE

RESEARCH METHODOLOGY

This chapter presents the methodology adopted for the research and the analysis of the data gathered during the research. The selection of methodology depends on various factors appropriate for the research study and these include the research design, population of the study, sampling technique, instrument for data collection, data collection procedure, validity and reliability of survey instrument, sources of data, and method of data analysis.

3.1. Research Design

The research typology adopted for this study is the survey design using well-structured questionnaires which was complimented with in-depth scheduled and non-scheduled interviews. 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.

3.2. Population of Study

The executive and the legislature in Nigerian Federal Government and National Assembly constitute the study population. The executive at the Federal level is headed by the President and is seen as the Commander-in-Chief of the Armed Forces. The Heads of

Ministries, Departments and Agencies are appointed by him and are mere advisers to him and as the Chief Executive, he can rule with or without these advisers. The legislature at the National level, on the other hand, is the National Assembly. In this regard, the study examines the relationship between the President and the National Assembly covering the period of 2015-2018.

3.3. Sampling Technique

The method used in selecting respondents for this study is a combination of simple random and purposive sampling techniques. Simple random sampling technique was used to select respondents for the administration of the questionnaire. This sampling technique was complemented with purposive sampling technique to select participants for interview. The choice of the purposive sampling technique in this research is predicated upon the fact that the primary data required for this study can only be provided by political actors that are well-informed and possess adequate knowledge of the subject matter of this study. This necessitates a conscious identification of the individuals with such unique characteristics.

3.4. Instrument for Data Collection

The survey data on the pattern, causes and consequences of legislature-executive relations in the 8th National Assembly were gathered using a well-structured questionnaire and in-depth interview. The questionnaire contained both closed and open-ended questions

and was divided into five sections. Each of the sections addressed a specific segment of the study. The first section of the questionnaire solicited information on the personal background, such as age, sex, educational attainment, marital status and political party affiliation of the respondents. The second segment, however, dwelled on the extent to which the legislatures in the 8th National Assembly were able to maintain viable independent positions in carrying out their constitutional functions in the face of executive influences during the covered period. The third section focused on the nature of legislative-executive relations in the 8th Assembly. The fourth section, however, solicited data on the factors responsible for such pattern, while section five dwelled on the implications of such pattern on governance in the 8th National Assembly. The in-depth interview, in like manner, covered the themes of this study as contained in the research objectives.

3.5. Data Collection Procedure

A good number of respondents were selected from National Assembly on a ration 1:1 basis for administration of the questionnaire. Respondents were selected from members of the Senate and the House of Representatives. Respondents were also selected from the civil service, leaders of political parties, political actors, civil society and media organizations and academia. In addition, some political actors directly or indirectly involved in the political process during the period of study were identified and selected for personal interviews. The interviews were conducted with the aid of telephone conversations. A combination of the

questionnaire and interview methods provided a platform for in-depth probing into salient issues that are relevant to the study. Moreover, this method has been used in similar studies (Simbine-Okoosi 2010; and Fasagba 2009). Also, historical analysis from literature also formed part of the background information of this study. The historical account of the research involved investigating, recording and analyzing past events as they relate to inter-governmental relations in Nigeria. The weakness of historical research, however, lies in the fact that it is difficult to delimit the problem so that a satisfactory analysis is possible, and faulty past records mean faulty results or findings. Nevertheless, because of its usefulness in research it cannot be ignored (Osunde, 1993).

3.6. Validity and Reliability of Survey Instrument

In order to ensure the validity and reliability of the instrument employed in this research, the choice of methods and variables employed was guided by previous legislative studies (Maestas, Neeley and Richardson, 2003; Fasagba, 2009; Odumu, 2010; Simbine-Okoosi, 2010; Benjamin, 2010; Freedom House, 2010). The variables chosen were also subjected to experts and political scientists with respect to the adequacy of the variables to cover the basic legislative activities and legislative-executive relations. In addition, experts in the field of social sciences were consulted on appropriateness of the instruments and procedure for the study. The instrument was then submitted to both supervisors for review and final approval.

The Cronbach's Alpha was used to measure the internal consistency of the instrument. Cronbach's Alpha is commonly used to determine the reliability of the scale when a Likert questionnaire is used for a survey. The range of coefficient varies from zero to one. A research instrument with high reliability would tend towards one, while an instrument with low or no reliability will have a score tending towards zero. The Cronbach Alpha for this instrument is .845. This reliability statistics is shown in the table below.

Cronbach's Alpha	Number of Items
.845	43

Source: Field Report, 2020

3.7. Sources of Data

The study engaged both primary and secondary sources of data. The required primary data were collected directly from the sample under study through the use of a well-structured questionnaire and in-depth, non-scheduled structured interviews. The secondary data, on the other hand, were gathered from government gazettes, Legislative Hansards, bulletin, magazines, journals, newspapers, articles, relevant textbooks, materials from internet, term papers and archival documents on the subject area.

3.8. Method of Data Analysis

The primary and secondary data obtained were analyzed and computed based on the research objectives of this study. The primary data were analyzed using measures of central tendency and simple percentage statistical techniques with the aid of the Statistical Package for Social Sciences software (SPSS version 17.0). Measures of central tendency and simple percentage are considered appropriate as quantitative tools for analysis in this study. The combination of these two statistical techniques is predicated on their ability to demonstrate with statistical accuracy, the extent to which the legislature vis-à-vis the executive is involved in policy decisions and governance (Creswell, 2003; Fasagba, 2009; Simbine-Okosi, 2010). The qualitative data obtained from the interview were analyzed using content analysis.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND DISCUSSION

This chapter covers the presentation, analysis, and discussion of the data that was collected in the course of this study. Statistical analyses include frequency distribution, simple percentages and measures of central tendency. A total of 300 copies of the questionnaire were self-administered on 300 respondents (105 respondents in the Senate and 195 in the House of Representatives) out of which 206 copies of the questionnaire (86 from the Senate and 121 from the House of Representatives) were duly recovered for analysis. In the ensuing data presentation and analysis, the word “undecided” stands for respondents that were indifferent to some of the questions. Short descriptive analyses of the tables are also presented for clarity purpose. The return rate is indicated in the table below:

National Assembly	Copies of Questionnaire administered	Copies of Questionnaire Retrieved	%
Senate	105	86	82
House of Representatives	195	121	54.9
Total	300	207	69%

Source: Field Report, 2020

Afterwards, the presentation, analysis and discussion of data are done according to the objectives of the study outlined in chapter one. However, the social demographic of the population was first discussed.

4.1 Socio-Demographic Characteristics of Respondents

This section presents the frequency distribution by socio-demographic characteristics of the respondents.

Table 4. 1 Frequency Distribution of Respondents by Gender

GENDER	Senate		House of Rep.		Total	Total
	f	%	F	%	F	%
Male	50	59	74	62	125	62
Female	36	41	46	38	82	38
Total	86	100	121	100	207	100

Source: Field Report, 2020

Table 4.1 above is the frequency distribution of respondents according to their gender.

The table shows that 125 (62%) out of the 207 respondents in the Senate and House of representatives are male and 82 (38%) are female. Thus, the male constitutes the majority of the total respondents from both houses. In the Senate, 50 (59%) of the 86 respondents are male and 36 (41%) are female. In the House of Representatives however, 74 (62%) of the 121 respondents are male while 46 (38%) are female. This shows more male respondents than female. The disparity in gender is, however, higher in House of Representatives indicating that there are more male respondents than female in the House.

Table 4.2: Distribution of Respondents by Age

AGE	Senate		House of Rep.		Total	
	f	%	f	%	f	%
30 – 40	8	6	8	7	16	8
41 – 50	39	38	41	34	80	39
51 - 60	23	42	58	48	81	40
61-Above	16	13	14	12	30	13
Total	86	100	121	100	207	100

Source: Field Report, 2020

Table 4.2 presented above shows the age distribution of respondents. The table reveals that 16 (i.e., 8%) out of the 207 respondents fall between the age 30 and 40. A total of 80 (39 for Senate and 41 for House of Representatives) out of the 207 respondents fall between the age 41 and 50. This represents 39% of the respondents. However, the number of respondents between the age of 51 and 60 stands at 40% (23 in Senate and 58 in House of Representatives), while 30 i.e. 13% of the respondents (16 in Senate and 14 in House of Representatives) are 61 years and above. It is clear from the table that more of the respondents were above 41 years of age. This is helpful for this study because it affords the researcher to gather very useful information since individuals in these age groups are experienced and all things being equal, are expected to have a substantial knowledge about the field of study.

Table 4.3 Frequency Distribution of Respondents by Place of Work

PLACE OF WORK	Senate		House of Rep.		Total	
	F	%	F	%	F	%
NABRO	13	15	15	12	28	14
NGO	9	6	9	7	18	9
BOF	10	17	25	21	35	16
LAWMAKER	30	24	28	23	58	29
MEDIA	6	10	10	8	16	7
MFBNP	11	14	16	13	27	13
Civil Society Org.	7	14	18	15	25	12
Total	86	100	121	100	207	100

Source: Field Reports, 2020

The distribution of respondents according to their place of work is presented in table 4.3. According to the table, the total percentage of respondents who are staff of the National Assembly Budget and Research Office are 14. 9% of the respondents are from Non-Governmental Organizations. The total percentage of respondents from the Budget Office of the Federation is 16% while the percentage from the Legislature is 29. 7% of the respondents are from the media. 13% of the respondents are from the Ministry of Budget and National Planning while 12% is from the civil society organizations. It is instructive to note that the distribution of respondents across various institutions in the study area as presented in this analysis enabled the researcher gather comprehensive and balanced information on the subject matter.

Table 4.4 Frequency Distribution of Respondents by Religious Affiliation

Religion	Senate		House of Rep.		Total	
	F	%	F	%	f	%
Christianity	35	41	68	56	103	54
Islam	45	52	51	42	97	43
Others	6	7	2	2	8	3
Total	86	100	121	100	207	100

Source: Field Report, 2020

The religion affiliations of the respondents are presented in the table 4.4 above. The table shows that 54% of the respondents in the Senate and House of Representatives belong to the Christianity faith while 43% is from the Islamic faith. 3% of the respondents either indicated they belong to other religions which were not specified or indicated. They are not affiliated to any religion.

Table 4. 5. Frequency Distribution of Respondents by Party Affiliation

Party Affiliation	Senate		House of Rep.		Total	
	f	%	F	%	f	%
PDP	30	35	45	38	65	32
APC	55	64	65	54	120	58
YPP	1	1	0	0	1	1
Others	0	0	11	8	11	9
Total	86	100	121	100	207	100

Source: Field Report, 2020

Table 4.5 presents the frequency distribution of respondent's party affiliations. It shows that 32% of the respondents in the Senate and House of Representative are affiliated to People's Democratic Party (PDP). 58% of the respondents in Senate indicated affiliation with the All Progressives Congress (APC) while 1% of the respondents are affiliated to

the Young Progressives Party in the Senate. 9% of the respondents are members of the Other Parties in the House of Representatives. There is however no respondent who indicated affiliation to the Other Parties in the Senate.

Table 4.6 Frequency Distribution of Respondents by House

STATE	FREQUENCY	PERCENTAGE
Senate	86	42
House of Representatives	121	58
Total	207	100

Source: Field Report, 2012

In table 4.6, the number of respondents from the Senate and House of Representatives are presented. From the frequency table, 86 of the respondents (i.e., 42%) are from Senate while the remaining 121 respondents (i.e., 58%) are from House of Representatives.

4.7. Effects of Executive Interference in Legislation in the 8th National Assembly.

This section presents and analyses data on the extent of legislature’s independence of executive interference and control in carrying out its legislative duties between 2015 and 2019.

The 1999 Constitution of the Federal Republic of Nigeria provides for the separation of the personnel, powers and functions of the executive and the legislature. The separation of powers is understood to be a way of controlling the exercise of state power by fragmenting it

among the three different institutions – the executive, the legislature and the judiciary. This separation of powers is the basic principle of the presidential system of government adopted in Nigeria since 1979 and enshrined in sections 4, 5 and 6 of the 1999 Constitution. By the general principle of checks and balances, however, the powers are distinct but not wholly separate. Each of the powers designated a specific sphere of action and there are situations when one power has a partial agency in the operation of another. The whole essence is to provide for balance of power among the organs of government. Accordingly, no one arm of government is superior to the other, neither is any subordinate to the other. Each organ is independent within its own sphere of influence.

As noted by Campbell (2004), however, the principle of separation of powers is abrogated when a power is exercised by a branch of the government which possesses a different power. By the principle of separations of powers, the legislature is independent of the executive in performing its constitutionally specified functions and in conducting its internal affairs. A good legislature, accordingly, has to be relatively independent of the executive and participate in policy initiation rather than being a rubber stamp of executive proposals. Furthermore, one of the basic principles of a democratic system is the inherent right of the legislature to regulate its own affairs by determining the pattern and form of procedure to be followed in the conduct of legislative business (Okoosi and Simbine, 2010). Independence of the legislature from executive control is, therefore, critical to the performance of the legislature's constitutional functions of citizens 'representation through

legislations and checking executive excesses, arbitrariness and abuse of governmental power. It is central to democratic governance. It is in the view of this that Section 60 and 101 of the 1999 Constitution of Nigeria provide that the nation's legislative assemblies (National Assembly and State House of Assembly) shall have powers to regulate its own procedure, including the procedure for summoning and recess of the House. It is therefore, not only a duty but also a right of the legislature to exercise its power independently without executive meddlesomeness. The extent to which this occurred in the 8th National Assembly is discussed below:

4.7.1. Power of Appropriation

The executive and the legislature have always haggled over the power of appropriation as contained in the 1999 Constitution of the Federal Republic of Nigeria. While the executive would insist that the power to propose projects and assign funds for appropriation rests with it, the legislature has always insisted that the power of the purse belongs to the people, which it represents. The legislature had always relied on Section 80 (1, 2,3 & 4) of the constitution to support its pre-eminence claim on the power of appropriation. But the executive often finds a lee-way provided in Section 82 of the same constitution, which allows it to spend public funds up to six months in the absence of the Appropriation Act.

In 2017, the crisis over the power of the purse boiled over as the budget, which was presented to the National Assembly in December 2017, did not get signed into law until six months after. There were claims of padding and alterations about introduction of new subheads by the

legislature. The back-and-forth argument ended in June when the Acting President, Professor Yemi Osinbajo signed the budget into law in the absence of President Muhammadu Buhari, the President.

4.7.2. Power of Appointments and Legislative Business

The executive and the legislature also haggled over the propriety of appointments in acting capacity made by the President in the out gone year. The striking appointment in this cadre has to do with the appointment of Mr Ibrahim Magu as the Acting Chairman of the Economic and Financial Crimes Commission (EFCC). Magu's confirmation was rejected by the Senate in December 2016 and again in March, 2017 for lack of credible character to handle the said position. But a senior advocate Lagos lawyer, Femi Falana, led a team of legal opinion moulders to bandy the claim that Section 171 of the Constitution already empowers the president to make certain appointments without recourse to the Senate. The legal minds insisted that one of such positions is that of the EFCC Chairman, who they argued is superintending over an extra-ministerial body. Notwithstanding the lawyers' claim, the National Assembly explained that the law setting up the EFCC mandates the president to make appointments into the board only after confirmation by the Senate. They insisted that as far as the law is still in force, the chairman of the Commission must be confirmed by the Senate. The issue remains a stalemate till date.

The controversy went deeper than the usual hubris over budget as it led the Senate to "down tools" in April 2017. The lawmakers declared that they could not continue to pass

resolutions that would not be respected as they announced the suspension of plenary over the failure of President Muhammadu Buhari to respond to resolutions rejecting the nomination of Ibrahim Magu. There were also claims that the executive would head to the Supreme Court to settle the interpretation of Section 171 as raised by the lawyers, but no action was taken in that regard. The Magu controversy remained at the heart of the ill-feelings between the executive and the legislature till the end of the 8th National Assembly as this was part of the reasons why the Senate refused to act on all the nominations sent to the chamber by the president since October 2015. As a result, several boards of parastatal agencies remained vacant for months as those nominated took a while to get the Senate's nod. While speaking in April, following the announcement of the suspension of screening of the presidential nominees, Senate spokesman, Senator Sabi Abdullahi said:

“All the Senate has said is that we passed resolution and the resolution was rubbished. If our resolution was rubbished, why are we passing another resolution? The Senate has mandated its president to discuss with the president of the Federal Republic to resolve whatever is happening to the resolution.” (Sabi, 2017)

Though the remainder of the Resident Electoral Commissioner nominees were later cleared by the Senate, many other nominations that came after that have suffered the scorn of the lawmakers. Such nominees include those into the board of the Federal Road Maintenance

Agency (FERMA), the Central Bank of Nigeria (CBN), Niger Delta Development Commission (NDDC) and the Independent National Electoral Commission (INEC).

4.7.3 Move for Peace Fails

As the no love lost relationship between the executive and the legislature became apparent, the Presidency made moves to salvage the situation in the last quarter of 2017. There were feelers that the 2018 budget might be dead on arrival if the cat and mouse relationship continued and that the lawmakers might “butcher” the new budget anyhow. The executive, thereafter, mooted the idea of a peace deal between it and the leadership of the National Assembly ahead of series of the debate in the chambers of the Medium-Term Expenditure Framework (MTEF) and the Fiscal Strategy Paper (FSP). But then there was a snap. Security operatives at the entrance of the Presidential Villa stopped the bus conveying the National Assembly leadership from entering the complex. They claimed that only the Senate President and the Speaker of the House of Representatives were to be allowed entry. The 20 leaders of the legislature turned back as the two presiding officers insisted on entering the Villa as one body. But a quick intervention of the president, who dispatched his Chief of Staff, helped to douse the tension and prevented further strain in the relationship between the two arms of government.

4.7.4 National Assembly and Presidential Liaison Officers

One emerging issue that became noticeable in 2017 is the widening gap between legislative structures and the Presidential aides on National Assembly. In the past, presidential liaisons in the legislature were always in chubby relationship with the lawmakers. They were therefore in position to reduce the intensity of crisis on occasions. But in recent times, silent grumbles have started over the claims that the aides were mis-interpreting their roles and, in some instances, attempting to usurp the roles of the Clerk to the National Assembly during Joint sittings. The bureaucracy of the Assembly, which is usually taciturn recently, started getting uneasy over the conduct of the Presidential aides at screening sessions and at joint sittings. They contended that the attitude of the aides could go a long way to negatively affect smooth executive-legislative relations.

4.7.5 Constituency Projects for Lawmakers

In 2017, another source of tension between the legislature and executive is the running battle over quest for substantial implementation of constituency projects of the lawmakers. The Constituency Projects are designed as a take home for the lawmakers to showcase their impact in their respective constituencies. Through this channel, the Federal Government sets aside the sum of N100 billion for projects that would be executed in the 469 Senate and federal constituencies in the country. The lawmakers are to nominate the projects they feel represent the pressing needs of their people while the Ministries, Departments and Agencies (MDAs) are to execute the project. But there have been arguments as to the failure of the executive to

release adequate funds for the projects so nominated by the lawmakers. It's a source of controversy which will not go away. With less than 15 per cent of performance ratio of the projects in 2017, the lawmakers have called for complete carryover of the projects to the 2018 budget. As for the House of Representatives, 2017 does not present a different experience from that of the Senate. The lawmakers at the inception of the Eighth National Assembly in 2015 had set out a legislative agenda believed to guide its operations. But like the Senate, the agenda ran into trouble with the leadership selection process. Right Honorable Yakubu Dogara, who emerged the Speaker, was not the choice of the ruling party APC. Just as in the case of Saraki in the Senate, he emerged against the wish of his party and then faced some backlash. That also affected executive, legislature relations.

At inception, the House set out an ambitious Legislative Agenda, which is to serve as a compass for its legislative activities for four years (2015 – 2019), in what it called the quest to deepen democracy in Nigeria. The lawmakers had assured that “Nigeria’s democracy remains critical and important. The Eighth House of Representatives will assert its role in providing leadership in the areas of accountable and transparent government, citizen’s engagement, as well as constituency representation.

“The House of Representatives will collaborate with its counterpart in the Senate and other arms of government to legislate for the common good of the Nigerian people. Our legislative activities will cover critical spheres of life in Nigeria. The House will legislate to achieve

reforms in Nigeria's national economy and development, tackle poverty, unemployment, and confront the scourge of corruption, terrorism and security challenges in the country.

“The House will also give priority to green legislations to address environmental challenges such as desertification, erosion and pollution. The 8th House of Representatives will also work assiduously to improve the governance process in Nigeria by legislating to cut the cost of running government, reduce wastage and tackle National Revenue leakages. The House commits to playing its part in rescuing Nigeria from the clutches of hunger, poverty, disease, social, economic, political and infrastructural quagmire.

“The Eighth House of Representatives, as a peoples' parliament, will be sensitive to public demands transparency and accountability not just by the House of Representatives but also by government at all levels. Our legislative actions would therefore seek to build public confidence and trust and be responsive to citizens' questions regarding the conduct of legislative business. The House will work for public good and serve as the institution that defends the rights of the people to an accountable and transparent government.”

How much of the above was the legislature able to pull through in the course of 2017 is a question that will be answered in two fronts, the people and the house itself. Speaker Dogara answered part of the question when he gave a scorecard to the effect that the 8th House has so far passed 159 Bills out of the 1055 bill presented for first reading between 2015-2017 (November). 30 of the Bills have so far received presidential assent while six of the bills were vetoed by the president.

Besides that, the Eighth House has conducted more than 50 investigative hearings some of which include the investigations on the award of contract for the rehabilitation of Nigerian Railways; Installation of CCTV Cameras in Abuja and Lagos, alleged \$17 billion stolen from undeclared crude oil and LNG exports to global destinations; the investigative hearing on Centenary City Project; Pre- Shipment investigation and the Amnesty programme among others. For the legislature, the year 2017 is only but a carryover of 2016, which is rooted in the events of June 2015 as far as its relationship with the executive is concerned.

It, however, appeared that having fought and sustained bruises on their side, the executive and the legislature are beginning to realize the essence of collaboration. That was the essence of the parley between the President and the leadership of the legislature in October. But the concerns are forever present. Speaker Dogara, while speaking at the November 7, 2017 joint sitting for the presentation of the 2018 budget said that the needed consultation between the two arms of government was lacking during the budget preparation stage. Perhaps, the executive needs to imbibe the fact that separation of powers emphasizes interdependence of powers rather than the supremacy of one arm over the other.

Table 4.8 below presents the frequency distribution of respondents' positions on the extent to which the 8th National Assembly was independent of executive's influence in their various constitutional legislative processes between 2015 and 2019.

Table 4.7. Frequency Distribution of Respondents on Executive’s interference in the Legislative Process of the 8th National Assembly.

Legislative Processes	Strongly agree		Agree		Undecided		Disagree		Strongly disagree	
	F	%	F	%	F	%	F	%	F	%
Senate										
Adoption of rules of Procedure	15	12	14	11	16	13	70	56	10	8
Parliamentary finance	14	11	10	8	60	48	21	17	14	11
Motions and Resolutions of the House	17	14	16	13	11	9	28	23	54	45
Elections and removal of Principal Officers of the House	16	12	13	11	16	13	70	56	10	8
Debate and passage of bills	4	3	9	7	12	10	81	65	19	15
Investigation process	4	3	14	11	5	4	85	68	17	14
Scrutiny and approval of nominees for political positions in the federal capital territory	11	9	15	12	13	11	70	56	16	13
Approval of appropriation bills	15	12	14	11	16	13	70	56	10	8
House of Representatives										
	Strongly agree		Agree		Undecided		Disagree		Strongly disagree	
	F	%	F	%	F	%	F	%	F	%
Adoption of rules of Procedure	17	14	16	13	6	5	28	23	54	45
Parliamentary finance	9	7	23	19	11	9	68	56	10	8
Motions and Resolutions of the House	9	7	21	17	12	10	67	55	12	10
Elections and removal of Principal Officers of the House	9	7	23	19	11	9	68	56	10	8
Debate and passage of bills	7	6	21	17	3	3	30	25	60	50
Investigation process	2	2	13	11	8	7	40	33	58	50
Scrutiny and approval of nominees for political positions in the Federal Capital Territory	12	10	18	15	8	7	78	65	5	4
Approval of appropriation bills	22	18	23	19	8	7	19	16	49	40

Source: Field Reports, 2020

The table above presents the percentage response of the respondents on whether or not the legislative processes of adopting rules of procedure by the 8th National Assembly were independent of executive’s interference between 2015 and 2019. The table shows that a total 23% (12% strongly agree and 11% agree) of the respondents in the Senate

agreed that the legislative processes of the 8th National Assembly were independent of executive's interference between 2015 and 2019. 13% of the respondents was indifferent while 64 % (56% disagree and 8% strongly disagree) did not agree that this process was independent of executive interference. Similarly, in the House of Representatives, 33% (14% strongly agree and 13% agree) of the respondents agreed that the legislative processes of adopting rules of procedure by House between 2015 and 2019 were independent of executive interference. 5% of the respondents were undecided while a total of 68% of the respondents disagreed. This analysis shows that majority of the respondents in both Senate and House of Representatives did not agree that the legislative processes of adopting rules of procedure by the National Assembly in the two Houses were independent of executive's interference between 2015 and 2019.

4.8. Discussion of Findings on the Independence of the Legislature from Executive's Interference in the 8th National Assembly.

The 1999 Constitution of the Federal Republic of Nigeria provides for the separation of the personnel, powers and functions of the executive and the legislature. The separation of powers is understood to be a way of controlling the exercise of state power by fragmenting it among the three different institutions – the executive, the legislature and the judiciary. This separation of powers is the basic principle of the presidential system of government adopted in Nigeria since 1979 and enshrined in

sections 4, 5 and 6 of the 1999 Constitution. By the general principle of checks and balances, however, the powers are distinct but not wholly separate. Each of the powers designated a specific sphere of action and there are situations when one power has a partial agency in the operation of another. The whole essence is to provide for balance of power among the organs of government. Accordingly, no one arm of government is superior to the other, neither is any subordinate to the other. Each organ is independent within its own sphere of influence.

As noted by Campbell (2004), however, the principle of separation of powers is abrogated when a power is exercised by a branch of the government which possesses a different power. By the principle of separations of powers, the legislature is independent of the executive in performing its constitutionally specified functions and in conducting its internal affairs. A good legislature, accordingly, has to be relatively independent of the executive and participate in policy initiation rather than being a rubber stamp of executive proposals. Furthermore, one of the basic principles of a democratic system is the inherent right of the legislature to regulate its own affairs by determining the pattern and form of procedure to be followed in the conduct of legislative business (Okoosi Simbine, 2010). Independence of the legislature from executive control is therefore critical to the performance of the legislature's constitutional functions of citizens' representation through legislations and checking executive excesses, arbitrariness and abuse of governmental power. It is central to democratic governance. It is in the view of

this that Section 60 and 101 of the 1999 Constitution of Nigeria provide that the nation's legislative assemblies (National Assembly and State House of Assembly) shall have powers to regulate its own procedure, including the procedure for summoning and recess of the House. It is, therefore, not only a duty but also a right of the legislature to exercise its power independently without executive meddlesomeness.

Findings reveal that the legislature did not live up to the expectation of Nigerians in terms of making laws that will guarantee good governance for the benefit of all and sundry in the 8th National Assembly.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary

One does not have to look too deep into political practices in Nigeria for one to see that the principle of separation of powers and checks and balance have been over the years, mal applied, perverted and as a matter of fact, abused in the Nigerian political reality. The relationship between the executive and the legislature is shaped by the electoral system of proportional representation. This has a major impact on how this relationship plays itself out in legislative and oversight processes. The executive dominance, where Ministers and chairpersons of committees are all from the same party, determines the outcomes of major decisions in Parliament. The period 2015 to 2019 mainly focused on passing laws that were in line with the constitutional democracy and eradicating oppressive Apartheid laws from the Statute Book. In this regard the relationship between the executive and Parliament depicted a more harmonious synergy, as the objectives were mutual. There were, however, occasions of discord during the same period, and these were identified and analyzed. Parliament's oversight power is increasingly being questioned as it seems that conducting oversight is in the main the responsibility of the opposition parties in Parliament. Oversight should be recognized as a mechanism to assist the government to deliver to the people who elected it. Through conducting oversight, the areas of concern relating to delivery are highlighted by Parliament to ensure that the government makes good on its election promises.

The party-dominant system, with single-party dominance, in theory seems to constrain democracy. In this regard, having one party with a close to two-thirds majority presents the notion of “ruling with an iron fist” and is likened to a “dictatorship”. In reality Parliament has, over the years, been able to stamp its authority on matters that required Parliament’s showing it can assert its dominance.

In summary, the synergies and regular agreement between the executive and the legislature is not because of the balance of powers, but single-party dominance.

5.2 Conclusion

The executive-legislative relation in Nigeria’s presidential democracy since the 29th of May, 1999 when democracy was again enthroned has been more conflictive than collaborative. The first few years of democratic experiment was so conflict ridden that on many occasions, due to the unconstitutional acts of the executive and the legislature, the polity was so heated up that the survival of the fledgling democracy was threatened. This is not surprising as before this time, Nigeria has had a prolonged military occupation and usurpation of the country’s political machinery for 16 consecutive years. As is usual with military regimes, the legislature is the arm of government that suffers most and, in most cases, does not survive at all. This invariably resulted in reduced capacity of the legislature in the new democratic dispensation. 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 disposition of the president. In every democracy, whether presidential or parliamentary, there is need for a cordial relationship between the executive and the legislature in order to achieve good governance. This is of particular importance in presidential democracy which, by its nature, breeds more executive-legislative conflicts and has the resultant effects of tending more towards democratic break down. However, 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. They should also be promptly and constructively resolved by proper interactions by the powers that be, so as to avert its dysfunctional consequence on the democratic process.

The inevitable conclusion from the foregoing analysis of the legislative-executive relations and effective legislation in Nigeria national assembly reveals that the legislature has not lived up to the expectation of Nigerians in terms of making laws that will guarantee good governance for the benefit of all and sundry. The legislators, as has been shown, have not demonstrated enough patriotism in support of Nigeria's fledgling democracy. Majority of the members are driven more by selfish desires of wealth accumulation than the patriotic desire of leaving enduring legislative legacies by taking cue from other advanced jurisdictions of the world.

5.3 Recommendations

The following recommendations are worthy of consideration.

- 1) The legislature should be insulated from the influence of the executive, this influence, in most cases, is counterproductive as it is meant to sway the minds of the legislators from the serious business of law-making. For example, the House of Representative leadership was under pressure to water down the report of the Committee probing N1.3trillion oil subsidy or dump the probe altogether for fear of indicting some perceived powerful people in government. The probe panel under the leadership of Alhaji Farouk Lawan had insisted on submitting the report first to the House. Lawmakers should be more responsible and responsive to their responsibilities.

- 2) The salaries and budgetary allocations to the legislature should be moved to a first line charge from the Federation Account, so as to ensure the independence of the legislature from the executive. Financial autonomy is pivotal to legislative independence.

- 3) This paper calls for respect of rule of law and constitutionality on the part of persons holding executive and legislative positions in Nigeria. Through strict compliance to constitutional provisions, the incessant breakdown of inter-governmental relations

which bothers on how the functions of these organs are discharged which ultimately threatens the current democratic consolidation can be greatly minimized.

- 4) The excuse that is often given that bills take time to go through the legislature because of lack of quorum is not tenable anywhere in the world. A solution to this ugly trend may be to make the salaries and allowances payable to the law makers vary directly with the number of times they participate in the proceedings at the floor of the house. The leadership of the house should be more financially responsible.
- 5) Award of contracts should follow due process and be carried out in a transparent manner. This will prevent the ugly scenario that was painted recently by the allegation of contract manipulation leveled against the immediate past Speaker of the House of Representatives, Dimeji Bankole.
- 6) The business of making good laws to ensure good governance requires paying attention to details and obtaining as much information as possible on the subject matter of the bills before they are passed into laws. It may therefore not be possible to suggest a time frame within which a bill must be passed, but it is suggested that the committee system through which details of bills are vetted should be more strengthened to reduce the ugly incidence of bills pending before the legislature for years.

- 7) It is a truism that some lawmakers display such an embarrassing level of ignorance of the legislative process such that one is compelled to wonder if such persons could contribute meaningful to the process on the floors of the legislative houses. It is therefore recommended that a regime of training and retraining should be put in place to educate the lawmakers on the business of law-making in the best interest of Nigerians that have elected them.

- 8) Finally, it is a common knowledge today that many Nigerians do not have implicit confidence in the political process, and such are not willing to invest their time and money in it. The process is bedeviled with corruption, nepotism, thuggery, God-fatherism and chicanery to mention a few. The effect of this is that the process in some cases has produced charlatans, nitwits, booth-lickers, shenanigans and political jobbers. The presence of these shades of characters in the corridors of powers derogate from the notion of good governance. It is the suggestion that this process be overhauled and revamped for purposeful and result-oriented legislation that would guarantee good quality of lives for Nigerians and in the ultimate promotes good governance. This is the only way this present culture of perfidy, insincerity, deceit and corruption in governance can be tamed for the benefit of Nigeria and Nigerians.

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