EXECUTIVE-LEGISLATIVE CONFLICTS IN NIGERIA: A COMPARATIVE STUDY OF THE 7TH AND THE 8TH NATIONAL ASSEMBLIES

BY

NANA-FATIMA YUSUF

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CERTIFICATION

This is to certify that this dissertation was carried out by Nana-Fatima Yusuf, approved and submitted to the National Institute for Legislative and Democratic Studies (NILDS), under the supervision of Dr Josiah Sabo Kente.

……..	Signature…….
Dr. Josiah Sabo Kente (Project supervisor)	Date……..
……..	Signature……..
Internal examiner	date…….
……	Signature…….
External Examiner	Date……..
…….	Signature……..
Dr. Abiola Ashimiyu	Date……..

DECLARATION

I declare that this project has been written by me and that it is as a result of my research work. And to the best of my knowledge, it has not been previously presented in any form in any application for masters in parliamentary administration.

All sources of information collected and materials used have been duly acknowledged using references.

…….. Date……

Nana-Fatima Yusuf

APPROVAL

This project entitled "Executive – Legislative Conflicts in Nigeria a Comparative Study Of the 7th and The 8th National Assemblies" has been accepted as meeting the regulations governing the award of the degree of masters in parliamentary administration of the National Institute For Legislative And Democratic Studies/University of Benin (NILDS/UNIBEN), Edo State, Nigeria and is accepted for its contribution to knowledge and literary appreciation.

……..	Signature…….
Dr. Josiah Sabo Kente	Date……..
(Project Supervisor)	
……..	Signature……..
Internal examiner	date…….
……	Signature…….
External Examiner	Date……..
…….	Signature……..
Dr. Abiola Ashimiyu	Date……..

DEDICATION

This research work is dedicated to Almighty Allah SWT for making it possible to start the programme and end it successfully; all I can say is Alhamdulilah.

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Nana-Fatima Yusuf

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LIST OF ABBREVIATIONS

A – Agree

ACN – Action Congress of Nigeria

APC – All Progressive Congress

CFRN – Constitution of the Federal Republic of Nigeria

D – Disagree

EFCC – Economic and Fiancial Crimes Commission

F –Frequency

MDAs – Ministries, Departments, and Agencies

OSGF – Office of the Secretary-General of the Federation

PDP – People's Democratic Party

SA – Strongly Agree

SD – Strongly Disagree

U – Undecided

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ABSTRACT

This study examined comparatively, executive-legislative conflicts in the Nigeria's 7th and 8th National Assemblies. It investigated the factors responsible for the pattern of executive-legislative conflicts in Nigeria in the 7th and 8th National Assemblies; examined the nature of the relationship between the executive and the legislative in the 7th and 8th National Assemblies as well as explored the nature of the executive-legislative conflicts as it affects the governance of Nigeria in the 7th and 8th National Assemblies.

The study adopted the survey research design, employing the purposive sampling technique in selecting the respondents from the legislature, executive, academia, civil society organisatins, and the mass media that provided primary data. Secondary data were taken from published materials such as books, magazines, institutional documents, unpublished papers, conference papers, journals, newspapers, official government publications, among others. A combination of qualitative and quantitative methods were used for data analysis, thus, description and presentation of data emphasized on numerical as well as textual forms.

The study revealed that disagreement over the power of appropriation, constituency development funds, partisan politics, appointments, and its ratification, etc., were some factors responsible for executive-legislative conflicts in the 7^{th} and 8^{th} Assemblies. The study recommends that the Executive and the Legislature should respect and strictly adhere to the tenets of the principles of separation of powers and also the legislature should evolve different techniques and strategies to strengthen its oversight function, which would enable it to conduct regular and in-depth checks and monitoring on the activities of the executive-ministries, department, and agencies. This will

put the executive on its toes and it would also make it more service-oriented, accountable, and transparent.

Therefore, the study concluded that since executive-legislature conflicts have not ushered in the much envisaged democratic order and political stability, both arms of government should; adhere to constitutional provisions, establish capacity building institutions, embrace dialogue as a means for resolving disagreements, etc., as ways of effectively managing executive-legislative relations.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

The development of any democratic country politically and nationally is a function of the mutual and as well cordial relationship between all arms of government. Where such a relationship is not cordial, it may lead to a total breakdown of the system. Nigeria as a country since independence has had the good and bad side of governance, which has been attributed to the conflicts of the Executive and Legislative arms of government. One would have thought that with democracy and the constitutional provisions in place, all these will be minimized.

According to Fleck and Hanssen (2002), the democratic form of government has fascinated philosophers since democracies first appeared in ancient Greece about 2500 years ago. Although there are divergent opinions on the definition of democracy, The Webster New Encyclopaedic Dictionary (1995) defines democracy as a government in which supreme power is invested in the people and exercised by them directly or indirectly through representation. Democracy got some foothold in Nigeria from 1999 when the military handed over to Chief Olusegun Obasanjo after a democratically contested election, otherwise what held sway in Nigeria before this date were series of military interventions. Preuss (1991), Williamson (2004), and Barak (2006) agreed that if any democracy is not structured to prohibit the government from excluding the people from the legislative process or any branch of government from altering the separation of powers in its favour, then a branch of the system can accumulate too much power and destroy the democracy.

One cannot talk about the Legislative and Executive arm of government without actually looking at the system of government in place. The Presidential system of government practiced in Nigeria makes provision for the separation of powers, apportioning disparate powers and duties to the Executive, Legislative, and the Judicial arms of government as enshrined in the 1999 Constitution as amended.

To Laski (1992), the executive occupies a very crucial position in the administration of a state and according to him, the executive in all democratic systems exists to; first, decide on the final choice of policy to be submitted to the legislative assembly for approval. Secondly, its business is to see that public services fully adhere to that policy as intended by the Legislature; and lastly to ensure that it delimits and coordinates the activities of the different department, Ministries, and Agencies in the country while Heywood (2007), describes the Executive arm of government as the irreducible core of government. In the same vein, Lafenwa (2009) defined the Legislature as an official body, usually chosen through periodic elections, with the power to make and repeal laws; as well as powers to represent the constituent units and control government. However, over the years, the occupants of positions at both arms of government and to some extent, the judicial arm of government have in the performance of their functions, stepped out of their constitutionally recognized territories.

Conflicts arise when individuals or groups pursue incompatible interests and this makes conflict an inevitable consequence of human interactions, whether at the personal, interpersonal, or group levels. Given this, Flippo (1999) asserted that 'a total absence of conflict would be unbelievable boring and a strong indication that conflicts are being suppressed'. This, however, points to the fact that occasional conflicts between the executive and the legislature are inevitable predictable, and if

constructively handled, they can be a healthy development for the progress of any democratic governance. However, there can be no sustainable progress in any democratic government if the executive and the legislature will not play by the rules, as stipulated in the constitution.

The separation of power, a term coined by French political Enlightenment thinker Baron de Montesquieu in 1748, is a model for the governance of democratic states is to ensure that conflicts are reduced to its barest minimum. "The premise behind the separation of powers is that when a single person or group has a large amount of power, they can become dangerous to citizens" (Separation of Powers, 2020, *para* 2) Therefore, separation of powers amongst the three arms of government limits the unlimited exercise of power by any branch of the government. This doctrine also helps in checking corruption and unlawful activities against the interests of the common man whom the government is supposed to serve.

The separation of powers doctrine does not insist that there should be three institutions of government each operating in isolation from each other. There must be sufficient coordination between each institution of the State. Historically the executive and legislative arm of government has been characterized by conflicts which border on;

a. Personal ego between the executive and legislature
b. Ignorance of the Constitution
c. Poor conflict management skills amongst others.

The relationship between the executive and the legislature cannot be overemphasized because it is crucial for facilitating good governance in any democratic regime. It is, therefore, in this light that this study attempts to explicate

executive-legislative relations in the 7th and 8th National Assembly, which was plagued with a lot of intrigues.

1.2 STATEMENT OF THE RESEARCH PROBLEM

In the history of Nigeria government, public officials, political practitioners, journalists, scholars, and other observers, have commented on executive-legislative conflicts, their variation, and their underlying causes and consequences. A wide variety of viewpoints have been expressed about conflict and cooperation, whether one or the other dominates, and whether benefits or liabilities result from either. Conflict between the executive and legislative has been seen as a necessary and beneficial pre-condition to limiting and controlling government (Madison, 1992). Yet others view it as contributing to gridlock over major public policy (king, 1976).

Nigeria's 1999 Constitution confers enormous powers on the President, who is at the helm of affairs at the Executive branch; it also takes into cognizance the need for checks and balances to prevent abuse. Part II 4 (1) of the constitution specifically states that Legislative powers shall be vested on the National Assembly for the Federation which shall consist of Senate and the House of Representatives. Section 4 (2) reads: "The National Assembly shall have power to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative List set out in part 1 of the second schedule to the Constitution".

The problem with the legislature in the past 20 years of the return to democracy has been the interference and disregard for the law making institution often exhibited by the executive, that do not understand the workings of the presidential system or pretending not to understand and appreciate it. Hence, its

concern at all times is with who was/is in charge of the Senate or the House of Representatives. It frequently interfered to select or depose their (NASS) leaders thereby creating tension and confusion. In the build-up to the inauguration of 8th assembly, the executive had in mind those it wants to be the presiding officers, but through scheming and power play, another people different from the preferred emerges, whereas in the 7th Assembly the issue was not so difficult, if not the speaker of the House of Representatives who played a double standard that brought the government under which he won election down. The situation was such that even those that became the leaders fell out in favour of the executive and resulted in the fracas. This led the leaders denouncing the party on which they were elected into the national assembly and on which they clicked the leadership position.

It could be said that considering the recent history of democratic governance in Nigeria, and the more recent history of the legislature, the latter has not done badly. However, the legislature could do more and come into the esteem of the public if it can eschew corruption and indiscipline as exhibited by some of its principal officers of recent. The researcher, therefore, examines the conflicts interactions between the parliamentarians and the members of the executives in Nigeria, the causes of the conflicts between these institutions, and how it inhibits good governance in the period between the 7th and the 8th Assemblies.

RESEARCH QUESTIONS

achieve the objectives of this research, the following research questions are raised:

(i) What is the nature of the executive - legislature relationship in the 7th and 8th National Assembly?

(ii) What are the factors responsible for the executive-legislative conflicts in Nigeria in the 7th and 8th National Assembly?

(iii) How does the executive-legislative conflict affect governance of Nigeria in the 7th and 8th National Assembly?

(iv) What are the ways of managing the executive-legislative conflict in Nigeria?

RESEARCH OBJECTIVES

The general objective of this research is to compare the Executive-Legislative flicts in Nigeria in the 7th and 8th National Assembly.

e specific objectives are to

investigate the factors responsible for the pattern of executive-legislative conflicts in Nigeria in the 7th and 8th National Assembly;

examine the nature of the relationship between the executive and the legislative in the 7th and 8th National Assembly; and

explore the nature of the executive-legislative conflicts as it affects the governance of Nigeria in the 7th and 8th National Assembly.

1.6 SCOPE OF STUDY

This study covers the conflict that existed between the Executive and the Legislative arms in the 7th and 8th National Assembly (i.e. period of 2011-2019). Therefore, this study intends to exclusively look into the conflicts that existed between both arms of government during the period under review. The choice of this scope was deliberate because there were a lot of contentions between the executive and legislative arms of government within the period. Also, while it must be stated that there are executive and legislative arms at subnational governments, this study was further delimited to the activities at the Federal level because subjects of contention most times are matters within the exclusive legislative list.

1.7 DEFINITION OF KEY TERMS

EXECUTIVE: the arm of government responsible for implementing laws and policies approved by the legislature.

LEGISLATURE: this arm of government that performs the function of lawmaking through deliberations, oversight, and representation.

7TH AND 8TH NATIONAL ASSEMBLIES: the 7th and 8th Assemblies refer to the legislative span of 2011-2015 and 2015 – 2019 respectively within the Fourth Republic.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

This chapter covers literature related to the variables being studied. Thereafter, an attempt would be made to situate the study within a theory.

2.1 Conceptual Framework

The fundamental expectations of the Federal Government are effective and efficient governance, this role is not only to provide security to the people but also to look after their basic needs and ensures that their political and socio-economic development is not jeopardized (Gill, 2002). These objectives are achieved by the government through the enactment of binding rules, the giving of directions to social activities, and the enforcement of the rules to ensure compliance (Bang & Esmark, 2009). Social acceptance of the power of the government to control people must be voluntary and recognized by the people.

For fulfillment of government role, towards effective governance, powers, and functions must be divided among the government institutions with each performing some specific functions (Okechukwu & Ikechukwu, 2017). Perhaps it is because of the division of powers and functions among the institutions that government is defined as a set of institutions through which the will of the Nation is realized (Adler, 1996). Institutional Scholars thus averred that powers and functions of government are vested in the Executive, the Legislature, and the Judicial arms of government which is coordinated or independent (Jones, 2002).

Nwokeoma (2011) in his observation stated that 'the ability of any democratic government to deliver the concrete benefits of governance to the citizens is determined

time, the conflict has been an indispensable character of human social interactions; conflict is omnipresent in every human social interaction. A total absence of conflict would be unbelievable boring and a strong indication that conflicts are being suppressed (Flippo, 1999). But Wolff (2006, p. 2) has a contrary view; he opines that conflict is a 'situation in which two or more actors pursue incompatibly, yet from their perspectives entirely just goal, He further argues that sometimes, conflict is as a result of the struggle for power and material gain by leaders and followers alike. Because of such vested interests, conflict managers prefer conflict to cooperation and privilege violence over negotiations. To have a thorough grasp of conflict, therefore, one must cautiously examine the various actors and factors and their interrelationship in each conflict situation (Wolff, 2006, p. 3).

Given the above conceptual clarification of the term conflict, it is also important to define executive-legislative conflict. According to Bassey (2000), executive-legislative conflicts can be defined as a situation whereby the legislature as opposed to the executive and vice versa in matters of policy and their perception of the value of good governance. It is a state of partial or absolute incompatibility where one arm is in a constant confrontation with the other. More so, executive-legislative conflict can still be defined as a situation whereby the executive and the legislature pursue interests or goals that are incompatible. And in another note, it can also be understood as a situation when one of the institutions either executive or legislature perceives the other as trying to frustrate or block the achievement of the goals or interests of the other.

Executive and legislative conflict can also occur when both institutions compete to gain influence on the policymaking and implementation process. From the above discussions, it can be established that the Executive-Legislative conflict is not a recent occurrence, as it is often precipitated by the pursuit of incompatible political goals

between these institutions. These findings are also consistent with the observation of Nwosu (1998), with regards to the Nigerian case, where he argued that the previous republics collapsed largely not because the constitutions were bad but because of the inability of the governing elites to comply with the basic rules of the game.

2.2 The Executive

All over the world, the constitutional government recognizes three basic organs of government (Ball, as cited in Khunou, 2017). Anifowose (2008) defines the executive arm of government as a body responsible for applying the authoritative rules and policies of a society. The executive he noted, by implementing the constitution, statutes, decrees, treaties, etc. He also noted it performs two major roles that include ceremonial role and control of government administration. He concluded that the two roles are performed by two distinct officials in a parliamentary system of government and by the same person/official in a presidential system of government.

Similarly, Ikoronye (2005) sees the executive as an organ of government that bears the responsibility of putting into effect the laws enacted by the legislature subject, however to the judgment and others of the judiciary. Abonyi (2006) also sees the Executive as that arm of government which is the teeth of action to the will of the state by carrying out or executing the law of the land as contained in the constitution, statutes, decrees, treaties, charters, etc. Appadorai (as cited in Ogbette, Idam & Kareem, 2018) lends credence to the broad perspective of the executive when 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.

The executive is understood both in broad and narrow senses, in the realm of the study of politics, its narrow meaning is applied. It is the executive head and his

principal colleagues who run the machinery of government, formulate national policy, and see that it is properly implemented (Grant, 1967). The above analysis reveals that the executive initiates policies and programme, executes them after being passed into law by the legislature, and equally coordinates government policies to ensure that policy execution is done within the framework of the original plan and the legislatures approved policy. It is because of these enormous responsibilities that Fasagba (2010) sees the executive as strategically important to the attainment of democratic goods.

2.2.1 Functions of the Executive

According to Gidado (2018), the executive organ performs quite extensive functions resulting from the growing complexity of the modern political system. These functions are so broad to the extent that even legislative and judicial functions cannot be completely separated from the formulation and implementation of policies that the executive carries out. Anifowose (2008) in the same vein, affirms the enhanced and widening role of the executive as a result of the increasing responsibilities of a nation in both the domestic and international realm.

Going further, Abonyi (2006) records that the factors responsible for the increasing powers of the executive include the growth of a disciplined party system especially in a parliamentary system, the considerable influence of the Chief Executive over the Legislature, the Executive's control of his cabinet and his power to determine policy lines of the nation, national emergency and terrorism and the single nature of the Executive position. Anifowose (2008), however, encapsulates the powers and functions of the Executive into three: Legislative, administration, and judiciary functions.

a. Legislative Functions: The Executives perform legislative functions by recommending and initiating bills to the consideration of the Legislature. The

power of veto is also a legislative function of the executive most especially in the presidential system of government (Abonyi, 2006).

b. Administrative Functions: - Under this function of the Executives controls and administers the affairs of the nation as well as directs, supervises, and coordinates the implementation of the law (Abonyi, 2006). Also, the Executive appoints, controls, disciplines and removes the higher administrative officers. Such appointments however have to be confirmed by the Legislative body. Another administrative function according to Anifowose (2008) is in the control of military forces. By this function, the Chief Executive is the supreme command of the army and has the power to war against external aggression and internal insurrection.

He has the responsibility of declaring a state of emergency in the country. Another administrative function is the conduct of foreign affairs. Further to the administrative functions of the executive is the determination of foreign policies by the Chief Executive. The President as well represents the country in international assemblies and conferences and negotiates binding treaties with foreign countries. The treaties may need the ratification of the Legislature for their validity (Abonyi, 2006).

c. **Judicial Functions:** - The Judicial functions of the Executive include issuing prerogative of mercy on offenders of the nation. Such prerogative may include reducing a judicial sentence already passed on a person who had committed an offense, reprieving a person from the legal consequences of crimes committed, or delaying execution.

The President can also proclaim amnesty on a specific class of persons, thus freeing them from the legal consequences of their actions (Abonyi, 2006; Anifowose, 2008).

2.3 The Legislature:

The term 'Legislature', has been given different names across the nations of the world. While it is referred to as "Parliament" in Britain, it is called 'National Assembly' in Nigeria, and "Congress" in the United States, etc. (Abonyi, 2006; Lafenwa, 2009). Lafenwa (2009) however notes that there is no serious contention about its definition. The Legislature is seen as occupying a key position in the machinery of government (Heywood, 2007) and as people's branch with the singular purpose of articulating and expressing the collective will of the people (Bernick & Bernick, 2008). As an organ of government, it is a form of the representation of the electorate (Taiwo & Fajingbesi, 2004).

To Awotokun (1998), the legislature as a branch of government is made up of elected representatives or a constitutionally constituted assembly (body) of people whose duties among other things are to make laws, control executive activities, and safeguard the interest of the people. Lafenwa (2009) in a similar vein defines Legislature as an official body, usually chosen by periodic election, with the power to make, charge and repeal laws; as well as powers to represent the constituent units and control government. Also, Davies (2004) in his works avers that representative liberal democracy cannot exist without, a healthy, lively, and credible legislature. He opined that the establishment of legislature rests on the assumption that in the final analysis, political power still resides in the people and that the people can if they choose, delegate the exercise of their sovereignty to elected representatives.

Two main designs for the Legislature are identified in the works of Edoza and Azelama (1995), Heywood (2007), and Anifowose (2008). Some legislature has two chambers popularly referred to as bicameral legislatures while some others have a single chamber commonly known as unicameral legislature. Yugoslavia has, however, experimented with a five-chamber legislative assembly and South Africa did have a three-chamber legislative assembly between 1984 and 1994 (Heywood, 2007). In a bicameral legislative arrangement, one chamber seems to dominate the other; it is commonly found in Nigeria, the United States, the Soviet Union, and Canada, etc.

2.3.1 Functions of the Legislature

Ball (as cited in Khunou, 2017) observed that wide variations in status, powers, and functions of the legislature among nations. According to him in some political systems (i.e. United States congress), the legislative body assumes wide powers and exercise processes. In some other political systems (e.g. the former Soviet Union), the Legislature exists as a more rubber stamp for decisions made elsewhere.

Packenham (1983)), Mezey (1983), Burnell (2002), Burnell, (2003), and Thomas & Sissoko (2005) averred that African legislatures are a mere institution for legitimizing government policies, recruiting and socializing new elites and mobilizing public support for political regimes. While the functions performed by the legislature may vary from country to country as opined by Abonyi (2006) and Okoosi – Simbine (2010), some fundamental similarities exist among parliament, listed below are the major functions of the legislature found in the literature.

a. Legislation: - Legislative function is said to be the basic, primary, and the most important role of the Legislature (Gidado, 2018; Abonyi, 2006). Laski (1992) and Abonyi, (2006) agree that the legislature has the responsibility of making

laws for the good governance of a nation. These laws may originate as private member bills or from the executive branch. Kousoulas (as cited in Ojibara, 2018), however, posited that although legislation is a core function of the Legislature, the inputs and at times the overbearing attitude of the executive and other factors like concessions to the opposition and other concerned groups against some aspects of proposed laws had greatly reduced the legislative powers of the legislature to a more deliberative assembly.

b. Oversight: - This is another function that is fundamental to the legislature. It is a major component of the activities of modern legislature irrespective of the form of government in practice. Saliu and Mohammed (2010), define Legislative Oversight as a process by which the legislative body takes an active role in understanding and monitoring the performance of the Executive arm its agencies.

c. Representation: - Awotokun (1998), averred that representation is the central role of the legislature. According to him, owns to the fact that the complexity of modern administration has made it practically impossible to directly run the affairs of the nation as was the case of the early Greek-City-nations. Simmon (2002) thus sees the legislature as representing the interests of their constituencies.

d. Financial Function: - Legislature has the responsibility of authorizing the expenditure of the government. Lafenwa and Gberevbie (2007) see the function as a catalyst for sustainable democratic governance, According to them, the responsibilities of the legislature involves among others, the control of public expenditure and taxation.

e. Committee Function: - Heywood (2007) sees committee function as the hub of the Legislative process and as the powerhouses of the legislature. He opined that committees examine legislative measures in detail; it examines the bills and financial demands of the government. It also examines important issues relating to MDA.

2.4 Executive and Legislative Relationships

Executive – legislative relations is the interaction and total transaction that takes place between the executive and the legislative arms at a particular level of government where both institutions exist (Bassey, 2000). The relationship between the legislature and the executive are one of the key defining characteristics of the functioning of any political system (Kopecky, 2004), Winetrobe, 2000, also sees it to be central to the constitutional and political system of any territory and has been at the forefront of parliamentary debate in recent times. The constitutional prerogatives vested in the legislature and the executive are, of course, most important because they structure the interactions between the two powers (National Democratic Institute, 2000).

Lijphart (2004) further emphasized when he argued that the constitutional prerogatives vested in the legislature and the executive are most important because they define the broad framework for the interactions between the two arms. In a similar vein, Posner and Young (2007) averred that institutionalized rules are increasingly becoming relevant in regulating the behaviors of political actors, especially in Africa. Rockman (1983) identifies four major elements in legislative-executive relations namely,

i. Value and perspectives of governance

ii. The major players

iii. Actions and institutions

iv. And legislative control and supervision of executive behaviour, which is referred to as oversight

Ideally, the kind of relationship that should exist before the executive and legislature ought to be cordial and functional since their relationship is supposed to be guided by the constitution. Since both institutions are ultimately working towards the same goal of administering the state, to guarantee the welfare and security of the citizens. Notwithstanding, it is important to mention here that the relationship that exists between the executive and legislature in democratic regimes is a complex one which vacillates, sometimes it may be cordial and peaceful, while at other times, it may be tensed and dysfunctional. Juan Linz (1994) has noted for example that: presidential constitutions, contrary to parliamentary ones, provides few or no incentives for coalition formation, there are three reasons for this

a. Because the president's survival in the office does not depend on any kind of legislative support, a president need not seek the cooperation of political parties other than his or her own.

b. And also because Presidents are independent of the legislature when it comes to survival, and are elected in nationwide contests that provide widespread popular support, they have an inflated sense of power and overestimate their ability to govern.

c. Presidential politics is a zero-sum winner takes it all affairs, which is hardly conducive to cooperation or coalition formation.

Lijphart (1992, p. 15) also asserts that the problem of an executive – legislature conflict is the inevitable result of the co-existence of the two independent organs that the Presidential government creates and that may be in disagreement. Base on the aforementioned reasons, the coalition is difficult to form and do form "only exceptionally" (Linz, 1994) under *presidentialism* especially between executives and legislatures. In most cases, coalition formation only promotes the parochial interests of the political elites; thereby making it elitist in nature and character. Sometimes it does not constructively engineer the policy-making and implementation process to the benefits of the citizens, as it has been observed that "influence and power always flow from the elite at the top down to the masses, through elite based public policy (Anderson, Dye and Zeigler 2008).

It is important, therefore, that both the executive and legislature should form an altruistic and constructive coalition that will not advance their parochial interest but promote the interest of all and ultimately advance the course of good governance. Fundamentally, the coalition between both institutions should be geared towards promoting the welfare of the citizens. Therefore, it would be more viable and beneficial for both the executive and legislature to collaborate to constructively engineer the policymaking and implementation process to promote good governance. In this regard, the legislature should play the role of an agenda-setter, while the executive should be the agenda implementer (Romer and Rosenthal, as cited in Kalandrakis, 2006).

2.5 Ways of Managing Executive – Legislative Conflicts

With the inauguration of democracy rule in1999, it was expected that democratic rule will stem the tide of economic decline and social-political instability. And almost two decades the country is still groping under social-economic and political miseries, inferential opinions traced this problem to frequent executive-legislative face. Yet, it is generally accepted that managing the executive-legislative working relationship is imperative for good governance and effective service delivery.

Nigeria has contended with a major challenge since independence, the hangover of the British parliamentary system of government where some members of the legislature were assigned ministerial portfolios under the principle of collective responsibility, ever since then the essence of synergistic roles between the executive and the legislature had become instructive. According to Natufe (2006), the government is a collective body of elected and appointed institutions empowered to legislate and adjudicate for the good of the society, However, Esman (1997) has argued that before the government can be considered good, the government has got be effective, it must first command the respect and allegiance of the people over whom it exercises governance and must satisfy certain basic collective needs. Therefore the ultimate objective of both the executive and the legislature has to be efficient and equitable delivery of public good to the citizens of a state and this is referred to as good governance and leadership.

The legislatures play critical roles in the promotion of good governance; this function can be discharged through the exercise of the basic legislative functions of lawmaking, representation, and oversight. To Johnson & Nakamura (1999), effective legislatures contribute to effective governance by performing important functions

necessary to sustain democracy in complex and diverse societies through their legislative function, parliaments are responsible for reviewing bills and enacting legislation, amendments, and regulations which are needed to support reforms and national development programs (Sharkey, Dreger & Bhatia, 2006).

The executive and legislature can work out a synergy to refocus and re-engineer the policy-making and implementation process to promote good governance. This is based on the fact that both the executive and legislatures are vehicles for engineering good governance (Momodu, 2012). While the parliaments have been referred to as the "nerve endings" of the polity (Johnson, 2005), the executive is the conduit for facilitating governance. The quest for peace, security, and good governance in Nigeria requires that the executive and legislature must as a matter of urgency synergize together to engineer the policy-making and implementation process that will engender good governance. As Remington (2004) argues that for legislators to be able to play their role of representation, oversight, and legislation, there must be a certain degree of cooperation between the three arms of government in policy-making, collaborative and harmonious relationship between the executive and legislature is crucial for attaining national development because " policymaking and policy execution are regulated by systems of law and guidelines are segregated into specific operations to achieve specific national objectives" (Shehu, 1999).

The executive and legislature should deem it necessary to always adopt dialogue in resolving their differences instead of resulting in an outright confrontation that usually deadlocks the policy-making and implementation process. For peace, security and tranquillity, the executive and legislature should respect and strictly adhere to the tenets of the principle of separation of powers and rule of law. Though consensus may

not often be achieved, nonetheless it is an exercise worth pursuing if only to sketch the parameters of collaboration in necessary areas that would promote good governance.

Finally, the executive and legislative arm of government should embark on regular capacity building on basic conflict resolution and management training to improve their conflict management skills as well as their problem-solving skills. And the legislature should enact legislation that would empower it to sanction the excesses and actions of the executives and MDAs that are inimical to good governance as well as activate the dormant laws.

2.6 Theoretical Framework-Separation of Powers

A theory is an essential ingredient in any research work, as it provides a foundational structure upon which research work is anchored. Given its importance, this study was conceptualized using the Principles of Separation of Powers. Historically, the theory of separation of powers in the post ancient Greek era democracy can be traced back to John lock and Montesquieu. Locke posits that it may be too great a temptation to human frailty, apt to grasp at power, for the same person who has the power of making laws also to have in their hand the power to execute them whereby they may exempt themselves from the obedience to the laws they made and suits them, both in its making and execution to their private advantage. Montesquieu posits that; political liberty is to be found only when there is no abuse of power. But consistent experience shows every man invested with power is liable to abuse it and carry his authority as far as it will go.

The principle of 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). The essence of the theory of separation of powers, therefore, is built on the belief that, if the executive, legislative, and the judiciary powers are vested in one person or group of individuals, such people will have unlimited powers. In such a way that they could prescribe any law, arrest anyone, and even prosecute the same for no reason. Through the separation of powers then, any particular group cannot prescribe, execute, and adjudicate in any case at the same time. Doing this would amount to injustice.

Executive-legislative conflict is a classical topic in political science. These conflicts have, more often than not, been studied according to the Montesquieu formula of the separation of powers (Dalberg – Action, 1949; Fashagba, 2010; Heywood, 2007). Consequently, the quest for good governance in Nigeria has been threatened more by the unending conflicts between the executive and the legislature who are often entangled in a constant battle of supremacy and control of policymaking and implementation process, thereby jettisoning the tenets of the principle of separation of powers which clearly states that the three arms of government shall be independent of the control of each other (Momodu & Matudi, 2013).

However, it is highly important to contain the rivalry emanating from the interactions of these organs to avoid a situation where the operations of the government would breakdown. This resulted in both Montesquieu (1748) and Madison (1788) advocating for the separation of policy-making power as an effective formula to curb the all too human inclination of rulers to exploits the ruled. 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 of the Federal Republic of Nigeria (CFRN) (as amended), by the general principle of checks and balances; however, the powers are distinct but not wholly separate. Each of the powers

has been 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 a balance of power among the arms of government. Each arm is independent within its sphere of influence and no one arm of government is superior to the other, neither is any subordinate to the other.

Nonetheless, the weakness of the principle of separation of powers is that emphasizes more on the equality of power distribution rather than on aptitude. Hence, by its design, an incompetent executive or legislature should be allowed to run its course without interference from the probably most competent arm regardless of its failings or shortcomings. Its strength, apparently the basis for its adoption as the theoretical framework for this study is its description of the respective arms as coordinate but independent. Given the issue this study is meant to examine, it is pertinent to state that the adherence to this principal-coordinate but independent functioning of the arms of government, executive-legislative conflicts would be minimal.

CHAPTER THREE

METHODOLOGY

This chapter sets out the research methodology in detail. Therefore, it outlines the research design, sources of data, the study location, the population of the study, sampling technique/sample size, the research instrument also contains validity of the instrument, the method of data collection, and data analysis.

3.1 Study Location

The research study location is the National Assembly and office of the Secretary to the Government of the Federation and others, Abuja. The choice of this location is premised on the perceived challenges of the legislature and the executive: executive recklessness and ineffective legislation.

3.2 Research Design

This is the set of methods and procedures used in collecting and analyzing measures of variables specified in the research problem study. This study adopts the surveying method, which involves fieldwork of primary data collection from the targeted population, analysis of collected data through the statistical instrument, and interpretation of data.

3.3 Sources of Data

The study used primary and secondary sources of data. The primary source is a questionnaire; the questionnaire was administered to the legislators, staff of the National Assembly, and staff of the Office of the Secretary to the Government of the Federation. The secondary source of data sourced from books, magazines, institutional

documents, unpublished papers, conference papers, journals, newspapers, and the internet especially as regards Nigeria between 2011 and 2019.

3.4 Population of the Study

The executive, legislative, and civil society organizations constituted the study population. The executive at the federal level is headed by the president, commander in chief and is seen as the chief executive. The cabinet ministers are appointed by him and are mere advisers to him. He can rule with or without them. The national assembly on the other hand comprises two chambers vis –a –vis senate and the house of representatives.

The total population is 1000 consisting of 109 Senators, 360 Honourable members, 42 cabinet ministers, 80 civil society group, 109 political aides,100 academicians, civil servant 180, and the media 20. In this regard, the study examines the conflicts between executive and legislative in Nigeria in the 7^{th} and 8^{th} National Assemblies.

3.5 Sampling Technique/Sample Size

The sampling technique used for this study is a purposive/ judgmental technique, with the aid of legislators list and staff nominal roll as the sample frame. The reason for this sampling technique is that good governance involves all and sundry where everyone cannot be sampled. This study seeks to engage this sampling method due to the limited number of primary sources of data. Taro Yamane formula to arrive at the sample size of the study population of 1000 was adopted.

Taro Yamane's formula

$$n = \frac{N}{}$$

n = 99.90

n = 100

The researcher used

targeted respondents. This me

and others had the respective

in all, the study used as sampl

$$1 + N (e)^2$$

Where n= sample size require

N= Number of people in the p

e= level of significance /error

I = constant

N= 1000

e = 0.1

$$N = \frac{1000}{1+1000(0.01)^2}$$

$$n = \frac{1000}{10.01}$$

roach given the manageable number of

ame population of the selected legislators

and interview guide administered to them,

nts for the study.

3.6 Research Instruments

The researcher made use of the questionnaire for data collection. Questionnaires are administered to legislators, the staff of National Assembly Abuja, academicians, civil society organizations, OSGF, and others in Abuja. The instrument has two main parts. The first part requested relevant information on the personal data of the respondents, parts two of the instrument sought for information that assisted in answering the research questions that guided this study. The items in section B were structures on a five-point rating scale of strongly agree (SA), Agree (A), undecided (U), disagree (D), and strongly disagree (SD).

3.7 Validity of the Instrument

Validity is the degree to which a test measures what is intended to measure, in this study, validity was examined through the ability of the test instruments to measure what they are supposed to measure. The pre-test responses of the participants corresponded to the research questions and the criterion of the objectives.

3.8 Method of Data Analysis and Presentation

For this research data were collected through questionnaires. Features of descriptive statistical tools applicable in this study include description and presentation of data in numerical forms in tables, graphs, and charts. Frequency and percentages were also used to analyze the demographic data. However, for qualitative data, the content analysis method was used.

CHAPTER FOUR

PRESENTATION AND ANALYSIS OF DATA

This chapter is on the presentation and analysis of the data obtained in the course of the study. Statistical analyses include frequency distribution, simple percentages, and test of significance. A total of 100 copies of the questionnaire were self-administered on 100 respondents (50 respondents in each of Executive and Legislative Arms) out of which 92 Copies of the questionnaire (44 in 7th Assembly and 48 in the 8th Assembly) were duly recovered for analysis. The ensuing data presentation and analysis denotes the word undecided for the respondents that were indifferent to some of the questions. Short descriptive analyses of the tables were also presented for clarity purposes.

4.1 Socio-Demographic Characteristics of Respondents

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

Table 4.1 Frequency Distribution of Respondents by Gender

	7th Assembly		**8th Assembly**		**Total**	
Gender	F	%	F	%	F	%
Male	25	57	30	62	55	60
Female	19	43	18	38	37	40
Total	44	100	48	100	92	100

Source: Fieldwork, November, 2019.

Table 4.1 is the frequency distribution of respondents according to their gender. The table shows that 55 (60%) out of 92 respondents in both the 7th and the 8th

assemblies are male and 37 (40%) are female. Thus, the male constitutes the majority of the total respondents in both the 7th and the 8th assemblies. In the 7th assembly, 25 (57%) of the 44 respondents are male and 19 (43%) are female. In the 8th assembly, however, 30 (62%) of the 48 respondents are male, and 18 (38%) are female. This shows more male respondents than female. The disparity in gender is however higher in the 7th assembly indicating that there are more male respondents than females in the assemblies.

Table 4.2 Distribution of respondents by age

	7th Assembly		8th Assembly		Total	
Age	F	%	F	%	F	%
18-30	2	5	3	6	5	5
31-40	16	36	18	38	34	37
41-50	20	45	23	48	43	47
51-above	6	14	4	8	10	11
Total	44	100	48	100	92	100

Source: Fieldwork, November 2019.

Table 4.2 shows the distribution of respondents. The table reveals that 5 (5%) out of the 92 respondents fall between the age of 18 and 30. A total of 34 (16 % for 7th assembly and 18 for 8th assembly) out of the 92 respondents fall between the age of 31 and 40. This represents 37% of the respondents. However, the number of respondents between the age of 41 and 50 stands at 43 or 47% (20 in the 7th assembly and 23 in the 8th assembly), while 10 which makes up 11% of the respondents (6 in the 7th assembly and 4 in the 8th assembly) are 51 years and above. It is clear from the table that more of the respondents were 41 years of age.

This is helpful for the 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 substantial knowledge about the field of study in both the 7th and 8th Assemblies.

Table 4.3 Frequency distribution of respondents by marital status

	7th Assembly		8th Assembly		Total	
Marital status	F	%	F	%	F	%
Single	7	15	8	17	15	16
Married	32	73	33	69	65	71
Divorced	3	8	4	8	7	7
Widow	2	4	3	6	5	5
Total	44	100	48	100	92	100

Source: Fieldwork, November 2019.

Table 4.3 reveals the percentage distribution of marital status of respondents, 15% of the respondent in both Assemblies (7 in 7th Assembly and 8 in 8th Assembly) were single while 71%(65) of respondents in both assemblies (32 in 7th Assembly and 33 in 8th Assembly) were married. The percentage of respondents who were divorced in both assemblies was 7% (7 out of which 7th Assembly is 3 and 8th Assembly 4).

Table 4.4 frequency distribution of respondents by academic qualifications

	7th Assembly		8th Assembly		Total	
Education	**F**	**%**	**F**	**%**	**F**	**%**
Primary	-	-	-	-	-	-
Secondary	11	25	14	29	25	27

Tertiary	33	75	34	71	67	73
Total	44	100	48	100	92	100

Source: Fieldwork, November 2019.

Table 4.4 is the frequency distribution of the academic qualification of respondents. The table shows a higher level of literacy among the respondents in both assemblies. 67 representing 73% of the respondents have education up to the tertiary level. The numbers of respondents with maximum secondary school education in the two assemblies are 25 (i.e. 27%). This high level of literacy among the respondents enabled them to answer the questions responsibly.

Table 4. 5 frequency distribution of respondents by place of work

	7th Assembly		**8th Assembly**		**Total**	
Place of work	**F**	**%**	**F**	**%**	**F**	**%**
Law makers	9	20	10	21	19	21
cabinet ministers	5	11	6	13	11	12
Civil servants	7	16	8	17	15	16
Academician	10	23	11	22	21	23
Political aides	3	7	4	8	7	8
Media	6	14	7	15	13	14
Civil society org.	4	9	2	4	6	6
Total	44	100	48	100	92	100

Source: Fieldwork, November 2019.

The distribution of respondents according to the table, the total percentage of respondents who are members of the legislative are 21% (7th Assembly is 20%, while that of the 8th Assembly is 21%). 12%of the respondents are from the executive (11%

in the 7th assembly and 13% in the 8th assembly). The total percentage of respondents from the civil service is 16% (16% in the 7th assembly and 17% in the 8th assembly) while the percentage of respondents from the academic institutions is 23% (23% in the 7th Assembly and 22% in 8th Assembly). 8% of the respondents are from party secretariats (7th Assembly is 7% and 8% in the 8th Assembly. 14% (14% in the 7th Assembly and 15% in the 8th Assembly) of the respondents are from the media institutions.

The percentage of respondents from the civil society organization is 6% (9% in the 7th Assembly and 4% in the 8th Assembly). 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 to gather comprehensive and balanced information on the subject matter.

Table 4.6 frequency distribution of respondents by religious affiliation

	7th Assembly		**8th Assembly**		**Total**	
Religion	F	%	F	%	F	%
Christianity	20	45	24	50	44	48
Islam	18	41	21	44	39	42
Others	6	14	3	6	9	10
Total	44	100	48	100	92	100

Source: Fieldwork, November 2019.

Religion affiliations of the respondents are presented in Table 4.6 above. The table shows 48% of the respondents in the 7th assembly belong to the Christianity faith while 42% is from the Islamic faith. 10% of the respondents either indicated they

belong to other religions that were not specified or indicated that they are not affiliated with any religion.

Table 4.7 Frequency Distribution of Respondents by Party Affiliation.

	7th Assembly		8th Assembly		Total	
Party affiliation	**F**	**%**	**F**	**%**	**F**	**%**
APC	0	0	26	54	26	28
PDP	22	50	19	40	41	45
CAN	16	36	0	0	16	17
APGA	3	7	1	2	4	5
CPC	2	5	0	0	2	2
Others	1	2	2	4	3	3
None	0	0	0	0	0	0
Total	44	100	48	100	92	100

Source: Fieldwork, November 2019.

4.2 Research Findings

This section presents the findings of the study according to the objectives in Chapter One.

4.2.1 Factors responsible for the pattern of executive-legislative conflicts in Nigeria in the 7th and 8th National Assembly

In Nigeria, various factors can be identified as the causes of conflicts between the legislature and the executive. For instance, Rockman (1983) identifies some causes of executive-legislative conflict namely:

i. Pride and personality clash

ii. Executive dominance

iii. Ignorance of the constitution

iv. Functional overlapping and legislative performance of oversight function

v. High- handedness of the executive over the legislature.

vi. Greed and hypocrisy of members of the two organs

vii. Lack of patriotism

viii. Corruption

ix. Poor leadership skills and

x. Poor conflict management skills

In essence, some areas of conflicts between the Executive and the Legislature in the 7th and 8th National Assemblies are listed as;

1 Power of Appropriation:

The Executive and the Legislature have always haggled over the power of appropriation as contained in the 1999 Constitution. While the executive would insist that the power to propose projects and assign funds for the same 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 subsections 1, 2, 3 & 4 of the constitution to support its claim on the power of appropriation. On the other hand, the Executive often finds a leeway 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 the 8th Assembly 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 altercations about the introduction of new subheads by the legislature. We recall that in 2016, the former chairman of the House of Representatives Appropriation Committee, Abdulmumin Jibrin, claimed that after the House had approved in a general session the budget, the principal officers, including him, connived to pad the budget as reported in the Nation Newspaper June 7th, 2018. The back and forth argument ended in June when the acting President Professor YemiOsinbajo signed the budget into law. This is believed to have been a fall out on the friction of the National Assembly leadership with the Executive.

In the case of the 7th Assembly during the succeeding regime of former President Good luck Jonathan, in 2011, the National Assembly increased its budget from about 120billion to 232.74billion, while working on the 4.48trillion budget. Although then President Jonathan refused to assent to the bill, and after series of fence-mending talks, both parties i.e. the Executive and Legislature settled for 150b in the budget for the lawmakers to allow for the smooth running of governance. In this instance, it won't be out of place to say the conflict was quickly nipped at the bud before it escalated (culled from the premium time newspaper).

2 Constituency Projects

This was another source of tension between the Legislature and Executive, the running battle over the 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 set aside the funds for projects that would be executed in the 469 Senatorial and Federal constituencies in the country. The lawmakers are to nominate the projects they feel represents the needs of their people while the ministries, department, and agencies are to execute the project.

In the 8th assembly in 2016, there were allegations that the legislators were diverting the gains of the constituency projects to their gains through the MDA'S, in 2017 it was a source of controversy that lingered because the performance was less than 15 percent ratio of the projects in 2017 when compared to the release of fund. The 7th Assembly equally had its fair share of huge sums of money released for constituency projects, what was achieved with relation to what was released leave much to be desired.

3 Partisan politics

Partisan politics and unethical godfatherism are some of the factors affecting Legislative-Executive relations in Nigeria. These factors have gone as far as causing both inter and intraparty conflict which has led in many cases to a dispute between the executive and the legislature. There have been instances where the executive refuses to sign into law a bill passed by the legislature, on the grounds of political differences. And in a similar case, the lawmakers have made attempts to unleash their power of impeachment on the executive by perceived political difference(s).

In the 7th Assembly, there were political intrigues, which saw the defection of some lawmakers from one political party to the other, an example was the defection of the then Speaker of the House of Representative Alh. AminuTambuwal's defection from the ruling party then PDP to APC, Fikayo (2019). The 8th Assembly equally had its fair share of partisan politics which saw the suspension of Senator Ovie OmoAgege

who gave a press conference alleging that the rescheduling of the 2019 election sequence by the National Assembly was targeted at President Muhammadu Buhari against the decision of the senate with regards to the re-ordering of election sequence (this was an excerpt from pulse newspaper).

4 Perceived Executive Dominance

Perceived executive dominance is another factor affecting the Executive and Legislative relationship, there have been instances where the Executive has made attempts to install their stooge in the leadership of the legislature. In the 8th National Assembly the emergence of Senator BukolaSaraki as The Senate President against the ruling party preferred Ahmed Ibrahim Lawan and Femi Gbajabiamila as their candidates for the Senate Presidency and Speaker slots respectively, the relationship between the two has not been cordial (culled from the premium times, June 15th, 2019).

In the 7th Assembly, however, the emergence of Honourable Aminu Tambuwal did not go down well with the Executive who had a preferred candidate in the person of Hon MulikatAkande-Adeola, the zoning formula did not go as planned, The PDP, in line with its zoning policy, had zoned the position of the Speaker to the South-West, while the North-East was to produce the deputy speaker. However, some PDP members, encouraged by lawmakers from the defunct Action Congress of Nigeria (ACN) ganged up and violated the PDP zoning arrangement by voting in Tambuwal, from the North-West, to become the Speaker, while Hon. EmekaIhedioha, from the South-East, emerged the deputy.

5 Appointment and Its Ratification:

The President is legally empowered to appoint key functionaries of government institutions. But the legislature is also empowered to screen such nominees to ascertain their credibility to hold such positions, all these are enshrined in section 1(1) and (3) of the 1999 constitution as amended and section171(1)(2) of the same constitution. Such collaborations are necessary to ensure that those selected by the President are qualified and capable of discharging the assigned responsibilities. That informed why some parliamentarians insist that the executive must accompany the proposed portfolios of the nominees during screening to ascertain the capability or otherwise to handle specific roles in government.

The striking appointment and confirmation that has made headlines between the Legislature and the Executive in the 8th Assembly in this cadre have 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 twice in December 2016 and again in March 2017. The Magu controversy remains at the heart of the ill feelings between the Executive and the Legislature up till now (Felix, 2018).

In the 7th Assembly, the former Senate President Senator David Mark Was the Senate President and Chairman of The National Assembly During the 6th and The 7th Assembly respectively. There were relative stability and cordial relationship with the executive, there was consensus building and harmony among the Legislature and the Executive. This was so because the leadership of both houses was from the ruling party.

4.2.2 Nature of the relationship between the executive and the legislative in the 7th and 8th National Assembly

The executive-legislative relations in the Nigerians fourth republic have been two-fold dimensional namely, collaborative executive-legislative relations and conflictive executive-legislative relations. Concerning the latter, it has been observed that "in 2015, sixteen years into the commencement of the fourth republic in Nigeria democratization process, the conflict between the National Assembly (House of Representative and Senate) and the executive at the federal level of government existed, which was widely presented by the press". (The Daily Trust, 2015). The conflict transcends the relationship between State executive and the legislature in various states and even spilling to the ward level at the local government councils.

Major effects of such conflicts were harassment, arrest, intimidation, sacking, and arraignment of key personnel in both the executive and legislature, such as the Speaker, Deputy Speaker, Senate President, Deputy Senate President, and heads of major parastatal, etc. (Daily Trust, 2018). On several occasions, the conflict between executive and legislature have been heating the policy, to such an extent that Nigerians had a fear that the fourth republic will be short-lived due to the recklessness and greed of some political elites (as Soyinka 2010) assert that Nigerians should rescue the nation from the cabal of probate gangsters, extortionist, and even political murderer. However, Mr. Lai Mohammed (a former spoke person of APC) in his statement dated 16th January 2014, while expressing his defense in support of Mr. AminuWaziri Tambuwal (then Speaker, House Of Representative) saying his defection being about the "fortunes of democracy" and not about party.

However, Comrade Adams Oshiomhole, (APC national chairman) on Wednesday, 11th December 2018, asked the senate president to as "a matter of honour, leave the crown (Senate Presidency) in the house that the crown belongs to". The executive-legislative rivalry created a power vacuum so that important public offices that needed to be filled by executive appointment could not be filled because the legislature was head bend to make sure that the nominees were not screened or rejected for the appointment. Although Murray (1975) has noted that when the executive and legislature are headed by different parties, conflict is bound to exist, this is likely to render the government ineffective as a result of a disagreement in policy directions.

The conflict-ridden relationship that exists between the executive and legislature has been slowing down the process of governance, thereby having debilitating effects on good governance in the country. Given the enormity of executive and legislative conflicts in the 7th and 8th National Assemblies, responses on the similarity or otherwise of the nature of conflicts between the 7th and 8th Assemblies are presented in Table 4.8.

Table 4.8 Is the relationship between the executive-legislative conflicts in Nigeria in the 7th and 8th Assemblies similar in nature?

	7th Assembly		**8th Assembly**		**Total**	
Responses	**F**	**%**	**F**	**%**	**F**	**%**
Strongly agree (SA)	19	43	22	46	41	45
Agreed (A)	12	30	14	29	27	29
Undecided (U)	8	18	9	19	17	18
Disagree (D)	3	7	2	4	5	6
Strongly disagree (SD)	1	2	1	2	2	2

Total	**44**	**100**	**48**	**100**	**92**	**100**

Source: Fieldwork, January 2020.

Table 4.8 reveals that out of 92 respondents 42 (45%) strongly agree that the nature of the relationship between the executive and the legislature in the 7th and the 8th Assemblies is similar, 27 respondents (29%) agree, 17 respondents (18%) remain undecided, 5 respondents (6%) disagree while 2 respondents (2%) strongly disagree.

4.2.3 Explore the nature of the executive-legislative conflicts as it affects the governance of Nigeria in the 7th and 8th National Assembly

According to Rockman (1983), executive-legislative can be conflictive or constructive. In which case, it impacts governance negatively or positively. However, given the focus of this study being, an examination of executive-legislative conflicts in the 7th and 8th Assemblies, Momodu and Matudi (2013) put the negative impacts of executive-legislative conflicts on governance as follows;

a) Slows down the pace of governance. Interbranch transactions are hindered thereby impairing the speed of governance.

b) It creates suspicion and hostility between the two organs. As rightly argued by Shugart (2008), separate survival becomes a norm since, either arm, have defined term limits and have various electoral origins.

c) Encourages bad governance. When the speed of governance, bad governance is enthroned leaving the electorates at the mercy of elected officials.

d) Public resources are deployed by the executive to create factions in the legislature, which undermines the unity of the legislature. Shugart (2008) referred to this scenario as the '*anarchic pattern*', where, in a highly

fragmented Assembly, the President chooses to transact/patronize individual legislators.

e) It creates a division between the executive and the legislature. Fragmentation becomes inevitable seeing that primordial sentiments will take centre stage.

f) It creates a distraction to the process of governance. Attention is no paid to governance, hence, accountability becomes eroded.

g) It creates tension and political instability. The polity becomes heated, thus, uncertainty takes over the democratic space.

Given the above, respondents noted the following as the impact of executive-legislative conflicts on governance.

Table 4.9 Is the nature of the executive and legislative conflicts affect the governance of Nigeria in the 7th and 8th assemblies?

	7th Assembly		**8th Assembly**		**Total**	
Responses	**F**	**%**	**F**	**%**	**F**	**%**
Strongly agree (SA)	18	41	23	48	41	45
Agree (A)	14	32	13	27	27	29
Undecided (U)	7	16	8	17	15	16
Disagree (D)	3	7	3	6	6	7
Strongly disagree (SD)	2	4	1	2	3	3
Total	**44**	**100**	**48**	**100**	**92**	**100**

Source: Fieldwork, January 2020.

Table 4.9 reveals that 41 respondents (45%) of the 92 respondents strongly agree that the nature of the executive-legislative conflicts affects the governance of

Nigeria in the 7th and 8th assemblies, 27 respondents (29%) agree that the conflict affects the governance, 15 respondents (16%) remain undecided, 3 respondents (3%) disagree that executive-legislative conflicts affect governance in the 7th and 8th assemblies while 3 respondents (3%) strongly disagree.

Consequent to the negative effects of executive-legislative conflicts on governance, Table 4.10 presents the perception of respondents on the possibility of effectively managing executive-legislative relations in Nigeria to enhance good governance.

Table 4.10 Are there ways of managing the executive-legislative conflicts in Nigeria?

	7th Assembly		**8th Assembly**		**Total**	
Responses	**F**	**%**	**F**	**%**	**F**	**%**
Strongly Agree (SA)	20	46	24	50	44	48
Agree (A)	19	43	20	42	39	43
Undecided (U)	3	7	2	4	5	5
Disagree (D)	1	2	1	2	2	2
Strongly Disagree (SD)	1	2	1	2	2	2
Total	**44**	**100**	**48**	**100**	**92**	**100**

Source: Fieldwork, January 2020.

Table 4.10 indicates that 44 respondents (48%) of the 92 respondents strongly agree that there are ways of managing the executive-legislative conflicts in Nigeria, 39 respondents (43%) agreed, 5 respondents (5%) remain undecided, while 2 respondents (2%) each disagree and strongly disagree that the executive and legislative conflicts

cannot be managed in Nigeria. Nevertheless, Eme (2016) listed the following as ways of managing executive-legislative conflict in Nigeria;

1. Adherence to constitutional provisions, by the Executive and the Legislature, in promoting role specificity. Eme (2016) argued that it reduces the rate of conflicts.
2. Corruption, which some times engenders conflicts in Nigeria, demands strong political will to fight considering the status of public officers that engage in corrupt practices. Therefore, diligent prosecution of corrupt public officers, no matter how highly placed, will serve as a deterrent to all and sundry. Conversely, the selective prosecution of corrupt public officers or the use of corruption fighting agencies to intimidate political opponents weakens the credibility of the agencies.
3. Establishment of the capacity-building institution in the Executive and the Legislature to train and educate them on the principles and processes of policy-making and implementation can reduce the rate of Executive-Legislative conflicts.
4. Respect for the Principle of Separation of Power and the Rule of Law reduces the rate of the struggle for dominance between the Executive and the legislature. The constitution assigned separate and shared responsibilities to each organ through its recognition of the Principle of Separation of Powers, Checks, and Balances. Adherence to these principles enshrined in the constitution reduces the level of conflicts between the two organs.
5. Increased contact between the Executive and the Legislature in the running of government business can reduce the rate of conflicts. This does not imply the disregard of the Principles of Separation of Powers, rather there should be

adequate forums for the two organs to share views on the policies and actions of government to avoid suspicion, arising from the information gap.

6. The organs should be transparent to ensure access to information about their actions on important government matters. The organs, while maintaining their independence, should strive to be open to each other, since their working together, is critical for good governance.
7. The executive as well as the legislature should always explore legal interpretation in cases of controversy over constitutional matters. Eme (2016) averred that the legal resolution of contending issues offers a longterm solution as it serves as precedence, thus, preventing future occurrence. However, the propensity of adopting a political solution to controversies on constitutional responsibilities offers a reprieve for such controversies.

4.3 Discussion of Findings

Literature, as well as field data, suggests that executive-legislative conflict is inevitable in a presidential system of government since either arm has a constitutionally guaranteed term limit. However, given that a constructive relationship is desired of both arms for the achievement of good governance, a less strained or acrimonious relationship is often advised. On the factors that were responsible for executive-legislative conflicts in the 7th and 8th Assemblies, while Rockman (1983) listed pride and personality clash, executive dominance, ignorance of the constitution, among others as probable causes of executive-legislative conflicts, empirical findings showed that disagreement over the power of appropriation, constituency development funds, partisan politics, appointments, and its ratification, etc., this is always the case as there is a delay in the budget passage (see Table 4.11), and so on.

Table 4.11 Time Lapse between Submission and Budget Approval for the 7th and 8th National Assemblies

S/N	Year	Date of Budget Presentation	Date Passed by NASS	Time Lapse
1	2012	15th December 2011	21st March 2012	4 Months, 3 days
2	2013	10th October 2012	30th January 2013	3 months, 18 days
3	2014	19th December 2013	22nd April 2014	5 months, 3 days
4	2015	17th December 2014	28th April 2015	4 months, 11 days
5	2016	22nd December 2015	22nd March 2016	3 months
6	2017	14th December 2016	11th May 2017	4 months, 28 days
7	2018	7th November 2017	16th May 2018	6 months, 9 days
8	2019	18th December 2018	30th April 2019	4 months. 12 days
9	2020	8th October 2019	5th December 2019	1 month, 27 days

Source: House of Representatives Committee on Appropriation (2020)

Comparatively, from Table 4.11, the shortest and quickest budgets were passed in the 7th and 8th Assemblies in 2013 and 2014; and 2020 and 2018 respectively. It is worthy of note that the delay in the consideration of the budget may have resulted from one or more of the factors listed above, such as the nature of executive-legislative relations in the 7th and 8th Assemblies.

According to Rockman (1983), executive-legislative relations can be constructive or conflictive. He opined that a constructive executive-legislative relation engenders good governance. Conversely, bad governance is enthroned if their relationship is conflictive. Given the foregoing, Momodu and Matudi (2013) stated that conflictive executive-legislative relations; slows down the pace of governance, it creates suspicion and hostility between the two organs, encourages bad governance,

public resources are deployed by the executive to create factions in the legislature, which undermines the unity of the legislature, and so on. However, since the ultimate goal of a government is to ensure good governance, Eme (2016) alluded that adherence to constitutional provisions by both arms, the establishment of capacity building institutions for the executive as well as the legislature, and increased contact/frequent dialogue between the executive and legislative arms, as ways of managing executive-legislative conflict.

CHAPTER FIVE

SUMMARY, CONCLUSION, AND RECOMMENDATIONS

This chapter deals with the summary of the research problem, methodology, and major findings of the study. Conclusions and recommendations based on the findings of the study, implications of the study, and suggestions for further research were also presented in this chapter.

5.1 SUMMARY

The focus of this study was the anatomy of the Executive – Legislative conflicts in Nigeria, a comparative study of the 7th and 8th Assemblies. The study, therefore, examined the extent to which the conflicts that existed between the Executive and the Legislature affected democracy and good governance in the 7th and 8th Assemblies. It also investigated how the two Assemblies performed their constitutional functions independent of executive interference. It examined the nature of the Executive-Legislative relationship in the 7th and 8th Assemblies and interrogates factors responsible for such conflicts.

Furthermore, the implications of Executive-Legislative conflicts as it affects the governance of Nigeria during the two assemblies were discussed. Ways of managing the conflict between the two arms of government were also dealt with. To this end, the study was divided into five (5) chapters. In the first chapter, it was observed that democracy got some foothold in Nigeria from 1999. Before this time, the military held sway in Nigeria. Democracy is structured to prohibit the government from excluding the people in the legislative process or any branch of government from altering the

separation of power in its favour, thus, aiding the branch in accumulating too much power, that could destroy the essence of democracy.

Chapter two deals with the origin and development of the executive and the legislative institutions in Nigeria. Many kinds of literature were reviewed and the theoretical framework used in analyzing the study was also discussed. The origin and nature of Nigeria's presidential system regarding the powers of the executive and the legislature were also examined. Also, the chapter examined the nature of Legislative-Executive conflicts in the 7th and 8th Assemblies. The roles of both the Executive and the Legislature were discussed. The legislative arm of Nigeria is adjudged to have been unable to adequately perform its constitutional roles in the face of executive dominance in the Nigerian presidential model. The recent face-off between the executive and the legislature gives a glimmer of hope for sustainable democracy in the country as a gradual decline in executive dominance in Nigeria is discernable.

Chapter three deals with the methodology used in the study, the survey method that involves fieldwork of primary data collection was adopted. The research used both primary and secondary sources of data. The National Assembly was used as a study location and a sample population of 1000 people was selected out of which 100 people were administered questionnaires out of which 92 respondents were recorded.

Data analysis and interpretation were discussed in chapter four. Thus, the data gathered from the field on the extent to which the executive meddles in the legislature in performing its constitutional functions in the 7th and 8th Assemblies, the nature of the executive-legislative relationships, factors responsible for the executive-legislative conflicts in Nigeria, the implications of the executive-legislative face-off and the way forward to the conflicts were discussed.

Finally, chapter five discussed the summary of the research findings, conclusions, and recommendations based on those findings. Also, it presented the study's contributions to the body of knowledge as well as suggested areas for further study.

5.2 CONCLUSION

The relationship between the Legislative and the Executive can never be overemphasized because it is crucial for facilitating good governance in any democratic regime. This makes cooperation preferable to conflict in their relationship with one another. As Remington (2004) averred that for legislators to be able to play their role of representation, oversight, and legislation, "there is a need to be a certain degree of cooperation between the branches in policymaking". The success of any government, however, depends on healthy legislature-executive interactions predated upon democratic ethos.

While the institutional designs and legal frameworks of the presidential system make friction between the legislature and the executive inevitable, inter-branch conflicts can be healthy for democratic consolidation if such emanate from the attempt by each organ to assent its functions and position, within the constitutional framework of government. Conversely, the political landscape of Nigeria between 7th and 8th Assemblies revealed a political culture of personal aggrandizement, patronage, and political clientelism. This political culture continued to condition the character of the relationship between the legislature and the executive in a manner that is not only injurious to democratic consolidation but also treacherous to political development and good governance.

The realization of democratic governance in Nigeria is determined by the extent to which the legislature independently and vibrantly performs its pivotal role in citizen's representation through legislation and oversight. The health of democracy declines when the level of the face-off between the executive and the legislature its high and the policy to oversee the executive by the legislature is lacking. Executive domination and meddlesomeness in the legislative process and constitutional functions of the legislature in the 7th and 8th Assemblies in Nigeria weakened the latter's role as citizens representatives in the modern democracy. More often, the legislatures are mere instruments in the hand of executives for conferring the legitimacy constitutionally required for the implementation of its decisions and such political governance cannot be deemed democratic.

The inability of the legislatures to meaningfully impact the policy process and perform their oversight role on the executive resulted in the face-off thus portending a reversal from democratic to dictatorial governance. Therefore, the study concludes that executive – legislature conflicts in the 7th and 8th Assemblies have not ushered in the much envisaged democratic order and political stability. Hence, good governance and the dividends of democracy were at its lowest ebb during the period.

5.3 RECOMMENDATIONS

The study recommends as follows;

i. The Executive and the Legislature should respect and strictly adhere to the tenets of the principles of separation of powers.

ii. Both organs should also embark on not just regular capacity building on basic conflict resolution and management training but should be ready to put it into practice to improve their conflict management.

iii. The legislature should evolve different techniques and strategies to strengthen its oversight function, which would enable it to conduct regular and in-depth checks and monitoring on the activities of the executive-ministries, department, and agencies. This will put the executive on its toes and it would also make it more service-oriented, accountable, and transparent.

iv. Both the legislature and the executive should deem it necessary to always adopt dialogue in resolving their differences instead of resulting in an outright confrontation that usually deadlocks the policy-making and implementation process.

v. Presence of an empowered civil society that can demand that the executive always governs according to constitutional stipulations, the government should partner with civil society organizations to embark on aggressive awareness and enlightenment campaign towards enlightening the general public on the need for public vigilance on the activities of government and their power as constituents.

vi. Both the executive and the legislature must see their roles mutually supportive. Separation of powers though exists between the two organs; each needs the other to function properly. Thus a harmonious working relationship is ideal that both should aspire and pursue.

5.4 Contribution to Knowledge

This study contributes to the body of knowledge such that

a. it identified socio-political and economic dynamics as factors that may determine executive-legislative relations apart from known constitutional stipulations.

b. it demonstrated that the adherence to constitutional provisions would mean less conflict.

5.5 Suggestions for Further Study

This study examined executive-legislative conflicts in the 7th and 8th National Assemblies, therefore, further studies should focus on such conflicts at the state levels, as well as on other Republics since the 7th and 8th Assemblies are both in the Fourth Republic.

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Appendix

Dear Sir / Ma

My name is Nana-Fatima Yusuf; I am student in National Institute for Legislative and Democratic Studies and undergoing a master's programme in Parliamentary Administration. I am undertaking a study on the Executive-Legislative conflict in Nigeria a case study of the 7th and 8th National Assemblies. In this regard you have been duly selected as a member of the sample.

I wish to appeal to you to assist this study by kindly sparing a few minutes to compete this questionnaire. You are not required to disclose your identity. I also wish to assure you that your answers will be treated in strict confidence and used for the stated academic purpose only.

QUESTIONAIRES

This questionnaire is designed for the conduct of research on the Executive and Legislative conflicts in Nigeria comparative study of the 7th and 8th assembly.

INSTRUCTIONS

i. Respondent should please indicate by taking the option that best indicate that position.

ii. There should be only one tick for each question except where otherwise questions seek for respondents view.

SECTION A:

GENERAL INTRODUCTIONS

1. What is your gender?

a. male [ ]

b. female [ ]

2. What age group do you fall under?

a. 18-30 [ ]

b. 31-40 [ ]

c. 41 - 50 [ ]

d. 51 and above [ ]

3. What is your marital status?

a. single [ ]

b. married [ ]

c. divorced [ ]

d. widow [ ]

4. What is your academic qualification?

a. primary [ ]

b. secondary [ ]

c. tertiary [ ]

5. Where is your place of work?

a. law makers [ ]

b. cabinet ministers [ ]

c. civil servant [ ]

d. academicians [ ]

f. others [ ]

e. civil society organizations [ ]

6. What is you religious affiliation?

a. Christianity [ ]

b. Islam [ ]

c. others [ ]

7. What is your political affiliation?

a. APC [ ]

b. PDP [ ]