

Executive-Legislative Relationship and National Development in Nigeria: Focus on the 8th National Assembly (2015-2019)



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ABSTRACT: This study accessed the impact of executive-legislature relations on national development in Nigeria with special emphasis on the 8th National Assembly which ran its course from 2015 to 2019. The objective of the study is to determine the extent to which the relationship between the executive and the 8th National Assembly have impacted on national development in Nigeria within the period under review. This study anchored on structural-functional approach propounded by Gabriel Almond, ex-post facto research design, documentary method of data collection and qualitative descriptive method of data analysis. It discovered that the fragile relationship between the executive and the 8th National Assembly negatively impacted on national development in Nigeria, so it went further to recommend that the National Orientation Agency must take it as a paramount duty to conduct periodic seminars for our legislators and executives in order to tune their minds toward national development.

KEYWORDS: Executive, National Assembly, Legislative. National

INTRODUCTION

The 8th Legislative Session of the National Assembly in Nigeria began on 9th of June, 2015 and ran its course until June 9th 2019. Elected National Assembly members on the different political platforms had arrived in Abuja, Nigeria's capital, for their inauguration session but were faced with how to elect the principal officers of the Assembly, maintain zoning balance and address myriad of other problems and issues relating to the Nigerian economy. The Assembly was inaugurated following the reading of the proclamation letter of President Muhammadu Buhari, who ordered the inauguration of the Assembly. The letter was read by Alhaji Salisu Maikasuwa, the Clerk of the National Assembly. In the end, those elected as leaders of the 8th National Assembly were not those put forward by the ruling party. There was instant outrage by the APC, which accused the elected leaders of the Assembly of sabotage and promised to sanction them, especially their own members who had gone against the party guidelines. This was the background that tended to define the nature of the relationship between the executive and 8th National Assembly.

In real terms, the emergence of the leadership of the 8th National Assembly threw up many issues, which generated conflicts and crisis within the ruling APC and the leadership of the 8th National Assembly. Over time, scholars have tried to use majoritarian or political party theories to explain what informs legislative actions; for instance, in explaining what happened in terms of the emergence of the leadership of that Assembly against all projections. However, such explanations did nothing to assuage the anger of the leadership of the APC, which felt embarrassed and betrayed by its own members.

There is no gainsaying the fact that the 2015 general elections in Nigeria threw up interesting outcomes. This was the first time in Nigeria that a sitting government was defeated in an election. The ruling party until then (the People's Democratic Party, PDP) was defeated by the opposition party, the All Progressive Congress (APC), which was an amalgamation of several political parties and opposition groups that felt "hard done" by the PDP. Principal among these disparate groups was the splinter group that broke away from the PDP known as the New PDP which was led by Senator Bukola Saraki, a serving Senator and former Governor of Kwara State.

It has been said, and correctly so, that the legislature is the engine room of any functional democracy. Mbah and Egobueze (2016), also contend that the legislature is the heartbeat of any democratic government across the world and is not a static institution. According to Nwankwo (2018), the legislature, because of its representative character, embodies the spirit of democracy. In a manner of speaking, the legislature is the yardstick for measuring the views of the people in a democracy, essentially because the institution of legislature evolves and develops internally in reaction to the broader political environment. As a political institution, the legislature is seen as a structure for addressing the important question of development and national unity and stability in any given society.

More so, this historic role played by the legislature has not attracted much attention, unlike the executive and the judiciary especially in the developing countries like Nigeria, where the development of the legislative institution has always been

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disrupted by military coups. Such disruptions notwithstanding, it is given that the institutions of the executive and legislature; as well as the judiciary, though independent, must cooperate to achieve development and meet the expectations of the people.

However, in the course of running a democratic government, the various arms must function harmoniously, each cooperating and complementing the other. Such synergy is crucial for the sustenance and development of the entire system. Also, in all presidential democracies, the three arms of government are constitutionally equal to one another in status and are established to work together towards moving the state forward. To maintain stability in the system, the constitution clearly defines the powers and limits of each arm in the discharge of their functions as well as in relations to one another as amply espoused in the doctrine of Separation of Power.

No doubt, in Nigeria, there have been periods of cooperation, clashes and conflicts between the legislature and the executive at various stages of our political history. Such periods of cooperation and antagonism have characterized Nigeria's democracy since 1999 but were more evident during the 8th National Assembly from 2015 to 2019; owing essentially to the fact that the leadership of the ruling APC and the Federal Government felt that the manner of emergence of the Assembly's leadership was fraught with deceit and sabotage.

LITERATURE PERSPECTIVE

The Legislature:

The legislature is that organ of government which makes and passes laws for the governance of any democratic system. It is the institution which has the responsibility to formulate the will of the state and vest it with legal authority and force. In simple words, the legislature is that organ of the government which formulates laws. Legislature enjoys a very special and important place in every democratic state. It is the assembly of the elected representatives of the people and represents national public opinion and power of the people.

In any democracy, the legislature is the watchdog over other organs of government and the society. Nwabueze (2007) opines:

The Legislature is the distinctive mark of a country's sovereignty, the index of its status as a state and the source of much of the power exercised by the executive in the administration of government. The sovereign power of the state is therefore identified in the organ that has the power to make laws by legislation, and to issue "commands" in the form of legislation binding on the community.

Contributing to the definition of the legislature, Egobueze (2016), sees 'the Legislature as the law making body of a political unit, usually a national or sub-national government that has the power to make, amend and repeal public policy. Laws enacted by legislatures are known as legislations.

FUNCTIONS OF THE LEGISLATURE

These functions include:

Legislation: Legislation functions are said to be the basic, primary and the most important role of the legislature. The legislature has the responsibility for making and passing laws for the good governance of a state. These laws may originate as private member's bills, or they may originate from the executive branch.

Oversight: The oversight function is another fundamental function of the legislature and it is a major component of the activities of modern legislature irrespective of the form of government in practice.

Representation: Representation is the central role of the legislature. This owes to the fact that the complexity of modern administration has made it practically impossible for the people to directly run the affairs of the state as was the case of the early Greek City-States. Thus, the legislative institution serves a mechanism through which the population, its special interests and diverse territory are represented and guaranteed a say in the scheme of things.

Financial Function: Another responsibility of the legislature is its financial function. The legislature has the responsibility of authorizing the expenditure of the government. Sanyal (2009), avers that all government expenditure (except a few items specified in the Constitution) need to be sanctioned by the legislature. This is usually done as part of the annual budget process. Additional expenditure may also be sanctioned through supplementary demand for grants.

Committee Function: Committee function is another responsibility of the legislature. Fashagba (2010), conceptualizes Committees as task-oriented bodies, with a clearly defined purpose and direction.

The Executive:

In the view of Moore (2015), "Executive power is a form of political power with significant content but ill-defined limits. It is not the particular power of lawmaking, or of determining disputes but, rather, the general power to carry out all the other functions of

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government". Stripped to its barebones, the executive is the branch of government exercising authority in and holding responsibility for the governance of a state. The executive executes and enforces law. The executive has the power to put into effect, in individual cases, the general rules made under the legislative power.

Executive could be single or plural, Presidential or Parliamentary, hereditary or elected, A single Executive exists when all the executive powers are concentrated in the hands of a single functionary/leader, it is called a single executive. In Nigeria, USA, Australia, France and many other states there are single executives. Whereas, where the executive powers are vested with a group of persons or in a Committee/Council/Commission and these are collectively exercised by all the members of such body, the executive is referred to as the Plural. A key example is Switzerland (Egobueze, 2017).

Functions of the Executive:

The executive organ performs quite extensive functions resulting from the growing complexity of the modern political system. These functions are :

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 issue statutory orders and rules necessary to meet changing circumstances (Anifowose, 2008). **Administrative Functions:** Under this function, the executive coordinates, controls and administers the affairs of the state as well as directs, supervises and coordinates the implementation of law (Abonyi, 2006). In addition, 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 the control of military forces. By this function, the Chief executive is the Supreme Command of the army and has the power to declare 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.

Judicial Functions: The judicial functions of the executive include issuing prerogative of mercy on offenders against the state. Such prerogative may include reducing a judicial sentence already passed on a person who had committed an offence, relieving a person from the legal consequences of crimes committed or delaying execution. **Policy Formulation and Implementation Function:** The executive constitutionally is vested with the function of policy formulation, implementation and evaluation, which is driven by the political and administrative process as a whole.

Executive-Legislative Relations under President Muhammadu Buhari's First Tenure (2015-2019)

The transition of power from President Goodluck Jonathan of the Peoples Democratic Party (PDP) to President Muhammadu Buhari of the All Progressive Congress (APC) was a milestone in the history of party politics in Nigeria. It was the first time that power transited from a government in power to the opposition party. More important, perhaps, was the fact that the transition was devoid of violence, arson and killings, which have been the hallmark of elections till then. In spite of the joy that greeted the emergence of APC-led government of the federation, the executive-legislative relations, especially in President Buhari's first term could be described as anything but cordial. The nature of the crisis between the Presidency and the National Assembly could be gleaned from the controversial manner in which the leadership of both chambers of the National Assembly emerged against the preferences of the ruling party (Awotokun and Okotoni, 2020).

According to Mbah and Egobueze (2016), the APC leadership had other candidates in mind in the persons of Femi Gbajabiamila as Speaker of House of Representatives and Ahmed Lawan as Senate President. The duo of Dogara and Saraki had surreptitiously worked with their sympathizers within the APC legislators-elect with active collaboration of members of the opposition PDP to emerge as the leaders of the National Assembly. This act did not go down well with the APC, which regarded the act as disloyalty and subversive of party interest. Indeed, many viewed it as a civilian coup. As a fall out of this political game, Senator Ike Ekweremadu of the opposition PDP became the Deputy Senate President. The leadership colouration at the National Assembly was unprecedented in the annals of Nigeria's history because it was the first time leadership positions in the National Assembly would be shared between the ruling party and opposition.

The 8th Senate under the leadership of Bukola Saraki was said to have embarked on some investigations such as investigation into the activities of the former Secretary to the Government of the Federation (SGF) Babachir Lawal, over allegations of mismanagement and corruption, which the executive had already dealt with. The Senate also investigated the reinstatement of the former head of the Presidential Task Force (PTF) on Pension Reforms, Abdulrasheed Maina, who the President had dismissed from the civil service. There was also the face-off between the legislature and executive over the 2010 Electoral Act (as amended), which the President vetoed. The President refused to sign the bill on the ground that the National Assembly has no right to determine the sequence of elections.

The disagreement between the executive and the legislature was so much that the President dared not to submit nominees to replace Ministers, who for one reason or the other, resigned in his cabinet knowing full well that it would be an uphill task to get the Senate to approve such nominations. The seemingly irreconcilable differences between the leadership of the 8th National

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Assembly have been cited as one of the major reasons the then Senate President, Bukola Saraki would quit the APC in 2018 for the opposition PDP. On why he quit the ruling APC, Saraki remarked that “what we have seen is a situation whereby every dissent from the legislature was framed as an affront to the executive or as part of an agenda to undermine the government itself” (Punch, 2018). In summary, the relationship between the legislative and executive arm of government under President Muhammadu Buhari’s first term was rancorous and unhealthy and significantly affected the governance process.

METHODOLOGY

This study is located on the framework of structural-functional approach propounded by Gabriel Almond. According to Almond’s structural-functional analysis, all political systems must perform certain requisite functions and, by comparison, one must identify which structure performs the tasks (Peter 2005). Almond’s structural-functional theory describes societal reality largely in terms of structures, processes, mechanisms and functions.

According to Varma (1975), three things emerge from Almond’s definition of political system, namely:

- a) A political system is a concrete whole influencing and, in turn being influenced by the environment, the presence of a legitimate force holding it together.
- b) Interactions take place not between individuals but between roles adopted by them.
- c) The political system is an open system engaged in a continuous communication with entities and systems beyond its own boundaries.

Applicability and Relevance of the theory to the Study

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. 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. According to Almond (1969), a system is characterized by interdependent units. The various structures or parts or units of a system are interdependent through their structural and functional relationships. This brings to clarity the necessary mutually interdependence of the executive and the legislature through their functional interactions in the policy process.

While the executive and the legislature may be constitutionally or structurally delineated by their personnel and functions, they however, necessarily collaborate through their shared functions as institutions of governance for the maintenance of the state. 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.

These functions in this regards, 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 inter-dependent 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. With Almond’s structural-functional theory, therefore, legislature-executive relations can be described largely in terms of structure, personality, processes, mechanisms and functions.

Executive-Legislature Relations during the 8th National Assembly

The nature of relationship between the executive and the 8th National Assembly could be said to have been significantly influenced by the manner in which the leadership of that Assembly emerged and its consequent rejection by the leadership of the ruling party, APC. Following the inauguration of the 8th National Assembly and the election of the leadership of both the Senate and the House of Representatives where Senator Bukola Saraki and Hon. Yakubu Dogara emerged Senate President and Speaker of the House of Representatives respectively against the position of their party, the APC, the party, which won the Presidential and National Assembly elections was thrown into crisis.

The elections of these two principal officers and the subsequent chaos that resulted therefrom proved a bombshell for the party. This is because in Nigeria and many other Third World countries, the legislature comprises many members who do not have any business being in the legislature save for the lures of the office. In many instances, most members of the National Assembly were persons unilaterally picked by the “godfathers” and imposed as candidates. Such persons do not have any legislative agenda which they could drive to impact society positively.

They are more interested in the fat salaries, allowances and severance allowances. To that extent, such members are mere rubber stamps in the hands of the party or the executive. So it is expected that they will do whatever they are told to do without

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question. Hence, the audacity to go against the wish of the party as demonstrated by both Bukola and Dogara was seen as an affront on powerful forces controlling both the party and the executive.

It was with this understanding that the party had anointed Ahmed Lawan and Femi Gbajabiamila as Senate President and Speaker House of Representatives; and therefore, all elected members on the platform of the party must follow the party's directive. But they were in for a shocker. The complacency of the APC complacent coupled with the fact that it did not factor such issues as region, ethnicity and even religion as compelling yardsticks upon which most of the members could base their own independent actions, would deal the party a lethal blow and create a cantankerous and frosty relations with the executive.

As a federal state, an acknowledgement of these diverse interests needed to be accommodated. In fact, one cannot rule out the possibility that the APC had assumed that electing principal officers in the National Assembly would follow party guidelines strictly; and thus did not reckon with politics of region, religion and ethnicity in a heterogeneous country like Nigeria.

It has been a long standing tradition in Nigeria that politics and appointments or even elections consider the foregoing factors as ingredients of national politics. So Bukola Saraki and Yakubu Dogara had acted in consonance with these factors essentially because the zoning formula adopted by the APC in its caucus meeting of April 21st 2015 had not considered the North-Central and the North-East. Saraki is from the North-Central and Dogara is from the North-East. So both men had acted in the best interest of their zones and beliefs; and not necessarily in the interest of their party. Hence, it was given that the relationship with the executive, from the outset, would be anything but frosty. Immediately after the inauguration of the 8th National Assembly, the members broke into two irreconcilable camps based on those who preferred towing party directives and those who wanted to be independent of party control.

Impact of the Relationship between the Executive and 8th National Assembly on National Development in Nigeria

There is no doubt that the two institutions of government that have direct bearing on national development are the executive and the legislature. A smooth relationship between both arms will naturally translate into a quantum leap in development of the entire country. But in instances where relations between both arms of government are frosty and antagonistic, the chances are that national development will be impaired. The aim of this sub-section is to examine through available records how the relationship between the 8th National Assembly impacted on national development in Nigeria.

Nigeria operates a bi-cameral legislature at the national level comprising the Senate and the House of Representatives. Both Chambers are referred to as the National Assembly and they function as the nation's highest legislative body. The National Assembly is empowered to make laws by the provisions of Chapter I, Section 4 of the 1999 Constitution (as amended). The Senate consists of 109 elected senators and the House of Representatives has 360 elected members.

The legislative work in the 8th National Assembly kicked off with the emergence of Dr Bukola Saraki as the President of the Senate and Mr. Yakubu Dogara as the Speaker, House of Representatives. However, in the life time of the Assembly, the 8th National Assembly was shrouded in political intrigues and controversies from inception, a development which was described as a threat to democracy. The threat became a reality when Saraki and Dogara decided to defect to the opposition Peoples Democratic Party (PDP) in 2018.

There is no gainsaying the fact that the leadership tussle in the 8th National Assembly had impacted negatively on governance as policies and programmes of the government were affected. For instance, there were glaring cases of delay of approval of appointees by the 8th Senate; as well as the foot-dragging debate on budget bills, among others.

Acknowledging some shortcomings of the 8th National Assembly, President Muhammadu Buhari had said that he looked forward to a mutual and effective working relationship with the 9th National Assembly. According to him, such effective working relationship will improve the budgetary process and restore the country to the January-December fiscal cycle. The President recounted how the delay in the passage of budgets hindered timely execution of some projects across the country. He also recalled that the 2018 budget proposals submitted to the National Assembly on Nov. 7, 2017 was passed after seven months.

In spite of this frosty relationship with the executive, it is important to observe that the 8th National Assembly was able to initiate and pass milestone bills within the legislative years. For instance, out of 1,516 bills treated at the House of Representatives between June 2015 and January 2019, members of the House of Representatives sponsored not less than 1,380 bills.

One of the outstanding bills passed by the lower chamber is a "Bill for an Act to Alter the Provision of the Constitution of the Federal Republic of Nigeria, 1999 and for Other Matters Connected Therewith" otherwise known as the *Not-Too-Young-To-Run Bill*. The bill, which drew local and international attention, was signed into law by Buhari on May 31, 2018 at the Council Chambers of the Presidential Villa in the presence of some young Nigerians, the *Not-Too-Young-To-Run Movement*. The law reduces the age qualification for president from 40 years to 35 years, governor from 35 years to 30 years, senator from 35 years to 30 years; House of Representatives membership from 30 years to 25 years and State House of Assembly membership from 30 years to 25 years.

Another outstanding bill passed entitled: "*Discrimination against Persons with Disabilities (Prohibition) Bill 2018*" is meant to cater for the more than 25 million persons living with disabilities in the country. The bill was signed into law by Buhari

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on Jan. 23, few days to 2019 general elections. The Act, which guarantees right to maintain civil action for damage by the person injured against any defaulter, prohibits all forms of discrimination on grounds of disability and imposes fine of N1, 000, 000 for corporate bodies and N100, 000 for individuals or a term of six months imprisonment for violation.

The **Whistle Blowers Protection Bill** is another important bill the lower House deliberated on. The bill seeks to facilitate and encourage the disclosure of improper conduct by persons, public officers and corporate bodies whether private and public. Some of the bills passed include the Petroleum Industry Governance Bill, 2016, Terrorism Bill, 2015 Gender and Equal Opportunities Bill, 2015, National Minimum Wage Act (Amendment) Bill, 2015, National Broadcasting Commission Act (Amendment) Bill, 2015 and North East Development Commission Bill, 2015.

Other bills are Fiscal Responsibility (Amendment) Bill, 2015, Electoral Act (Amendment) Bill, 2015, Appropriation Act (Amendment) Bill, 2015, National Council of Traditional Rulers Bill, 2015, Utilities Charges Commission Act (Amendment) Bill, 2015 and National Identity Management Commission Act (Amendment) Bill, 2015 are also passed. Similarly, the House of Representatives legislated on National Inland Waterways Authority Bill, 2015, Pension Reform Act (Amendment) Bill, 2016, Nigerian Postal Service Act (Amendment) Bill, 2016, National Agency for Albinism and Hypo-Pigmentation Act (Establishment) Bill, 2016 and Electoral Act (Amendment) Bill, 2018.

Also, bills emanating from the Senate to the House include Nigerian Railway Authority Act (Repeal and Re-enactment) Bill, 2016, Public Procurement Act (Amendment) Bill, 2016, Defense Space Administration Bill, 2016, Federal University of Agriculture, Kabba (Establishment) Bill 2017 and Federal Colleges of Education Act (Amendment) Bill, to mention but few. Although the 8th House of Representatives' bill progression chart shows that the lawmakers had performed well in their legislative calendar, not all the bills, whether private member bills, public bills or executive bills, sailed through the legislative drills. Some bills died at the first reading, some at the second reading, while others are at the third reading. Besides, there were bills which got the lawmakers' nod but which the executive declined assenting and one of such bill Petroleum Industry Bill.

However, Rep. Abdulrazak Namdas, the Spokesperson of the House of Representatives said that members have been able to sponsor several bills for the socio-economic and political development of the country. According to him, law making is the principal job and duty of a legislator and each lawmaker should have key areas of interest he or she wants to specialize on.

Namdass said that a legislator must have the capacity and the knowledge and do research on particular areas he needed to sponsor any bill or a motion. He however admitted that "In the 8th National Assembly, we had a lot of hiccups; the experiences are not good enough and we don't expect that in the 9th National Assembly".

CONCLUSION

The events, drama and rift between the executive and the 8th National Assembly were not unpredictable. The struggle for survival, independence and power often place the legislators in confrontation with the executive and in Nigeria case, the political party.

What constitutes party supremacy has been a challenge, and whether the legislators should follow the instructions given to them by their political parties or should act in the interest of their constituents and the nation has always been a contentious issue. Political parties in Nigeria have not been able to draw a line among the competing interests. While the executive and legislative gridlock is not new in Nigeria, the "cat-and-mouse" relationship between the executive and the 8th National Assembly was not well-handled by the ruling party.

Given the nature and process leading to its formation, the ruling party, like all political parties in Nigeria lack internal conflict resolution mechanism, thus they are fragmented along caucuses around political heavy weights. Again the time for political parties and Nigerians in general to give importance to the legislature like the executive has also been stressed.

The National Orientation Agency should embark on national campaign to enlighten and educate Nigerians why more emphases and interest should be place on legislative elections. Also the power, functions, responsibilities of legislators should be well communicated to the electorates, so that the legislators would not be under undue pressure from their constituents for the execution of projects, which is solely the responsibility of the executive.

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