

# The Implications of Executive-Legislative Conflicts on Good Governance in Nigeria

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## Abstract

The legislature and executive are two very important political institutions in presidential democratic regimes and they have a very critical task to play in promoting good governance. The achievement of this task however is dependent on whether the relationship that exists between these institutions is constructive or conflictive. In Nigeria's Fourth Republic for example, the relationship between the executive and legislature has been characterised more by dysfunctional conflicts which often deadlocks the policy making and implementation process, ultimately inhibiting good governance. More worrisome is the fact that even after thirteen years of democratisation in Nigeria, the political players have refused to wean themselves off from the culture of impunity and flagrant disregard to the rule of law, which are the twin evil introduced into the country's body politics by the military. These factors and others have remained the triggers of political conflicts in Nigeria especially between the executive and legislative arms of government. This study therefore carried out an incisive analysis of the implications of executive-legislative conflicts on good governance in Nigeria and it clearly found out that executive-legislative conflicts have profound negative and positive impacts on good governance in the country. The research methodology adopted in this study is both descriptive and analytical. In conclusion, the study recommends that both the executive and legislature should respect and strictly adhere to the tenets of the principles of separation of powers so as to avoid frictions that could be counter-productive to the discharge of their constitutional duties, while embracing dialogue in resolving their differences. It is also imperative that both institutions should see themselves as complementary partners in the administration of the Nigerian state and as such synergize in the policy making and implementation process with a view to promoting good governance in Nigeria.

**Key Words:** Conflict, Executive, Legislature, Governance and Good Governance.

## 1. Introduction

Nigeria has had 14 years of unbroken democratic stability since May 29, 1999 to date, after a prolonged military occupation and usurpation of the country's political machinery, which lasted for about 16 years (1983-1999). However, the Nigeria's Fourth Republic (May 1999 to date), has consistently witnessed a conflict ridden relationship between the key political institutions namely, the executive and legislature, both at the federal and state levels. Often times, the conflict between the executive and legislature heats up the polity to the extent that the machinery of the state is plunged in a state of inactivity and low-productivity. However, the relationship that exists between the legislature and executive branches of government is very crucial for attaining good governance. As Momodu (2012) posits that in electoral democracies world over, the executive and legislative arms of government are vehicles for engineering good governance for the purpose of delivering the dividends of democracy to the citizens.

Consequently, the quest for good governance in Nigeria has been threatened more by the unending conflicts between the legislature and executive who are often entangled in a constant battle for supremacy and control of the policy making and implementation process, thereby jettisoning the tenets of the principles of separation of powers which clearly states that the three arms of government namely, legislature, executive and judiciary shall be independent of the control of each other. However, it is very important to curtail the rivalry emanating from the interactions of these organs so as avoid a situation where the operations of the government would breakdown. This necessity has made both Montesquieu (1748) and Madison (1788) to advocate for the separation of policy-making power as an effective formula to curb the all too human inclination of rulers to exploit the ruled- "*il faut que le pouvoir arrête le pouvoir*" suggested the former (p. 163), which the latter translated as "ambition must be made to counteract ambition" (p. 322). Hence, Gould (1972) refers to governance as the act of exercising control over others, inducing others to behave in specified ways as required by law. In spite of the caveat advocated by the principles of separation of powers, it has over time proved not to be adequate in curbing the desperate innate and biological instinct of man to subvert institutional processes, which in this case has made the actors in the executive and legislature not to adhere to the tenets of the principles of separation of powers. Perhaps, this is the reason why an English scholar, Sir John Dalberg-Acton (1834-1902)

postulated that “*Power tends to corrupt, and absolute power corrupts absolutely in such manner that great men are almost always bad men.*” From this analysis, it becomes explicitly clear that conflict is inevitable in executive and legislative relations, especially under presidentialism.

Studies have however shown that ‘presidentialism’ has the tendency towards democratic breakdown (see Linz 1990 & Linz and Valenzuela 1994). In every presidential system of government, the chief executive (the president) and the members of the parliament are elected with fixed terms and are given the mandate by the electorates to represent their interests; ditto at the state level. This underscores the combined representative capacity of both the executive and legislative arms of government as they both have the mandate of the electorates to rule so as to be able to meet their expectations and yearnings. However, Linz (1994) has hypothesized the “destabilizing potential of this combination” (between the executive and legislature), which often affects the constitutional relationship between the two organs in presidential democracies. It is also believed that executive-legislative conflict “stems primarily from the separate election of the two branches of government and is exacerbated by the fixed term of office” (Mainwaring 1993:209). Fisher (2000) has, however, warned that “unresolved power conflict usually recycles and escalates to the point of relationship breakdown and termination.” Consequently, there is the need for both the executive and legislature to promptly and constructively resolve conflicts resulting from their interactions in order to avert its dysfunctional consequences on the democratic process.

More debilitating is the effect of executive-legislative conflicts on the process of governance as it slows down the effectiveness of governance as it is currently playing out both at the national and state levels in Nigeria. However, Nwokeoma (2011) has observed that:

The ability of any democratic government to deliver the concrete benefits of good governance to the citizens is determined by the smooth functioning of the executive, judiciary and legislative arms of government. He therefore, argued that this assumption reinforces the theory of separation of the powers of the different arms of government to prevent arbitrariness, tyranny and recklessness.

Synergy between the executive and legislature is even more crucial for facilitating good governance. The importance of the adherence to the doctrine of separation of powers by the three organs has been sounded by the Indian political scientist, Ariun Appadorai, in his book, “*The Substance of Politics*” – that “*such separation is necessary for the purpose of preserving the liberty of individual and for avoiding tyranny*”. Unfortunately, Laver (2006:122) has argued that “the primary function of parliaments is to make or break governments”; ditto the executives, especially the executives that are in the habit of violating the rights of their citizens and refusing to adhere to the tenets of the rule of law.

As scholars of conflict studies, we pontificate that conflict arise when individuals or groups pursue incompatible interests and this makes conflict an inevitable consequence of human interactions, whether at the personal, inter-personal or group levels. This reality has also made Flippo (1999) to posit 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 legislature are inevitable, predictable and if constructively handled, they can be healthy development for the progress of any democratic governance. Indeed, James Madison, defending the newly proposed Constitution of the United States in 1788, noted an underlying principle of competition and rivalry among the branches, as a means of limiting and controlling government. 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. This explains the reason why Omotola (2008) believes that it is difficult to talk of democracy where constitutionalism is not properly rooted and institutionalized. This view is also articulated by Posner and Young (2007) that “institutionalized rules are increasingly becoming relevant in regulating the behaviors of political actors across Sub-Saharan Africa.” This, to a large extent is helping to stabilize the process of democratisation that is evolving in Africa, since the 1990s. Although, much still needs to be done in this regard to be able to rid the continent completely from the growing culture of impunity and flagrant disregard to the rule of law by the political class.

Nwosu (1998) and Ajayi (2007) have pointed out the effects of executive-legislative conflicts on previous Republics in Nigeria. They noted accordingly, that the “previous republics collapsed largely not because the constitutions were bad; rather, the demise of these republics resulted from the inability of the governing elites to comply with the basic rules of the game”. What is however shocking is the growing culture of impunity and flagrant disregard to the rule of law noticeable among members of the executives and parliaments both at the national and state levels in Nigeria since the commencement of the Fourth Republic, May 29, 1999 to date. This has consequently heightened confrontations between these institutions, to such an extent that the quest for good governance in the country has been affected negatively. This problem is also exacerbated by bad leadership that is inept and devoid of the capacity to harness the abundant human and material resources that abound in the country and transform them for the common good of the people of Nigeria. Clearly, the problem

with Nigeria is not the “*want of resources rather it is the want of leadership*”, both at the executive and legislative institutions, and in fact, at every facet of the Nigerian society.

In view of the foregoing analysis, this study therefore throws up some very germane questions such as: What are the factors that often trigger-off executive-legislative conflicts? What are the positive and negative impacts of executive-legislative conflicts on good governance in Nigeria? These are some of the questions that this paper will attempt to provide answers to. Thus, this paper examines the implications of executive-legislative conflicts on good governance in Nigeria.

## **2. Conceptual Exploration and Literature Review**

### **2.1 Conceptualizing Conflict**

The word conflict is derived from a Latin word “configure”, which means to strike together (Albert, 2001:5, Barash and Webel, 2002: 26). From time immemorial, conflict has been an indispensable character of human social interactions. In fact, conflict is omnipresent in every human social interaction. In fact, Flippo (1999) believe that a total absence of conflict would be unbelievable, boring, and a strong indication that conflicts are being suppressed. Wolff (2006:2) opines that the term ‘conflict’ is used to describe “a situation in which two or more actors pursue incompatible, yet from their individual perspectives entirely just goals”. 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, the conflict entrepreneurs 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, 2006:3).

Flowing from the above conceptual definition of the term conflict, it is also imperative to define executive-legislative conflict. According to Bassey (2000), executive-legislative conflict can be defined as a situation whereby the legislature is 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 constant confrontation with the other. Furthermore, executive-legislative conflict can be defined as a situation whereby the executive and the legislature pursue interests or goals that are incompatible. It could 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. Basically, executive and legislative conflict can also occur when both institutions compete to gain influence on the policy making and implementation process. This competition can be intense to such an extent that it negatively affects the policy making and implementation process. This article therefore examines the conflict interactions between parliamentarians and the members of the executive in a presidential democracy, the causes of conflicts between these institutions and how it inhibits good governance in Nigeria in particular.

#### **2.1.1 Causes of Executive-Legislative Conflicts in Nigeria**

Various factors can be identified as the causes of conflicts between the legislature and executive. For example, Rockman (1983) identifies some causes of executive-legislative conflict namely: pride and personality clash, executive dominance, ignorance of the constitution, functional overlapping and legislative performance of oversight function. Generally, the causes of executive-legislative conflict are highlighted below:

- Struggle for power and domination,
- Conflict of roles,
- Limited conceptualization and understanding of their constitutional responsibilities,
- High-handedness of the executive over the legislature,
- Greed and hypocrisy of members of the two organs,
- Lack of patriotism,
- Corruption,
- Poor leadership skills, and
- Poor conflict management skills.

#### **2.1.2 Role of Executive and Legislature in a Democratic Government**

The executive and legislative arms are very important institutions in any democratic regime. This is because they play very crucial role in the policy making and implementation processes for the good governance of the democratic society. For instance, Laski (1967) sees the “executive as occupying a very crucial position in the administration of a state. Laski therefore observe that the executive in all democratic systems exists to first and foremost, decide on the final choice of policy to be submitted for acceptance to the legislative assembly; secondly, it is its business to see to it that the public services fully apply to that policy as intended by the legislature; and thirdly it ensures that it delimits and also coordinates the activities of the different departments of state”. The executive is therefore the organ of the state that is charged by the constitution to manage the resources of the state for the common good of the citizens.

On the other hand, Appadorai (1975) classifies the functions of legislature as legislation, administration, financial appropriation and ventilation of grievances. Parliament demonstrated a determined ability to hold ministers to account and ‘... exercised a constant supervision of all governmental affairs’ (Maitland, 1908). The legislature also screens and approves budgets. The “legislative phase of the budgetary process involves the consideration of the budget by members and subsequently, approving the budget” (Reid, 1966). Therefore, the Act of Parliament is required to give authority to the governments’ estimates of revenue and expenditure plans on annual basis. The Economic Commission for Africa (ECA) in its study on the “Role of legislature in promoting good governance in Africa” – explain that:

The parliament or legislature plays an important role in the life of a nation. It thus perform three main functions: a) make new laws, change existing laws and repeal laws which are no longer needed; b) represent and articulate the views and wishes of the citizens in decision making processes and c) oversee the activities of the executive so that the government is accountable to the people. Achieving good governance requires the existence of a strong, effective and efficient parliament. This is so because parliament plays a crucial role in gauging, collating and presenting the views and needs of the people, articulating their expectations and aspirations in determining the national development agenda. As oversight body, parliament helps to identify problems and policy challenges that require attention and assists in overcoming bureaucratic inertia (2012).

Johnson (2005) identifies the examples of formal parliamentary powers as follows:

- Power of members and/or committees to introduce legislation;
- Power of members to introduce legislation with fiscal costs;
- Power to override executive vetoes;
- Power to approve cabinet officials;
- Power to approve treaties;
- Power to approve Government borrowing money, or granting loans;
- Power to approve or disapprove overseas travel of the Chief Executive;
- Power to compel the Executive and others to provide information;
- Power to censure government ministers and other officials;
- Power to approve/disapprove the budget;
- Power to reduce, increase, shift spending in the budget;
- Power to remove the Chief Executive.
- Parliamentary authority to set the parliament’s budget, and over staff.

The above highlights of formal legislative powers or functions can be summarised into three basic functions which the legislature performs in democratic regimes. These are: law making, representation and oversight function. The exercise of these three basic functions makes the legislature the cornerstone of any democracy.

### **2.1.3 Executive and Legislative Relations: Towards a Collaborative or conflictive Relationship**

Legislative-Executive 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). Rockman (1983) identifies four major elements in legislative-executive relations namely, values and perspectives of governance; the major players, actions and institutions; and legislative control and supervision of executive behaviour, which is referred to as oversight. Ideally, the kind of relationship that should exist between the executive and legislature ought to be cordial and functional in nature, since their relationship is supposed to be guided by the constitution. In addition to the fact that, both institutions are ultimately working towards the same goal of administering the state for the purpose of guaranteeing 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, provide few or no incentives for coalition formation There are three reasons for this: (1) Because the president's survival in 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; (2) Because presidents are independent from 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 alone ; (3) Finally, presidential politics is a zero-sum winner-takes-all affair, which is hardly conducive to cooperation or coalition formation.

Lijphart (1992: 15) also asseverates that the problem of executive-legislative conflict “is the inevitable result of the co-existence of the two independent organs that presidential government creates and that may be in disagreement”. For these reasons, coalitions are difficult to form and do form “only exceptionally” (Linz 1994:19) under presidentialism (especially between executives and legislatures) (Mainwaring 1990; Stepan and Skach 1993:20; Linz and Stepan 1996:181).

Coalition formation in most cases only promotes the parochial interests of the political elites, thereby making it elitist in nature and character. It also sometimes 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 downward to the masses, through elite-biased public policy” (Anderson, Dye and Zeigler in: Dlakwa, 2008). It is imperative therefore, that both the executive and legislature should form an altruistic and constructive coalitions that will not advance their parochial interests 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 together to constructively engineer the policy making and implementation process with a view to promoting good governance. In this regard therefore, the legislature should “play the role of an agenda setter” (Romer and Rosenthal 1978), while the executive should be the agenda implementer.

#### **2.1.4 Executive-Legislative Relations in Nigeria**

Executive-legislative relations in the Nigeria’s Fourth Republic have been two-fold dimensional- namely, collaborative executive-legislative relations and conflictive executive-legislative relations. With regards to the latter, it has been observed that “In 2001, two years into the commencement of Fourth Republic in Nigeria democratisation process, conflict between the National Assembly (House of Representatives and Senate) and the executive at the Federal level of government existed, which was widely presented by the press” (The Punch, 2001). The conflict transcends the relationship between state executive and the legislature in various states and even spilling to the local government councils. Major effect of such conflict was the impeachment of key personnel in both executive and legislature, such as Speakers, Deputy Speakers and Governors etc (Punch, 2007).

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

However, Professor Dora Akunyili (a former federal minister of information) decided to break the long silence that has greeted the power vacuum crisis by writing a memo to the Federal Executive Council (FEC), dated 4<sup>th</sup> February, 2010, expressing the urgency in making the vice president, Dr. Goodluck Ebelle Jonathan, an acting president. In her memo, she boldly expressed that: “we should remember that permanent secretaries have been waiting to be sworn in for two months, meaning some ministers do not even have permanent secretaries now...the vice president has no constitutional power to take any bill to the National Assembly...though the VP deployed troops to quell Jos riot, many Nigerians said it was unconstitutional (*Africana* June 21, 2010).

The executive power vacuum was such that important public offices which needed to be filled by executive appointment could not be filled because the vice president enjoyed no real executive power until certain provisions of the constitution are met. The executive vacuum did not only leave certain offices unfilled, but also encouraged the pillaging of the national resources by government office holders (TELL, March 8, 2010, P.27). This was possible because not only was there nobody officially authorized to oversee the running of government business, but there were also some ministers, who unsure if they would survive the likely shake up in cabinet dissolution that would result from a transfer of power, felt the need to mop up whatever they could before they were removed from office (TELL, March 8, 2010, P.27). The resultant effect was the intensification of pressure on the cabinet to make the president transmit a written declaration to temporarily transfer power to the vice president, and on the legislature to intervene before the democratic enterprise crashes (TELL, March 8, 2010: p. 20-27; March 15, 2010: pp.32-34). By the time the executive eventually transmitted power to the

National Assembly, both the Senate and the House of Representatives invoked the doctrine of power of necessity, which saw Dr. Goodluck Ebelle Jonathan becoming the substantive President and Commander in-Chief of Armed Forces of the Federal Republic of Nigeria. This bold step taken by the National Assembly saved the Fourth Republic from collapsing.

At other times also, the National Assembly issued several impeachment threats to the President for failing to carry out its legislative enactments, while in some states also, some Houses of Assembly issued impeachment threats to their states Governor and some of the impeachment threats actually led to the removal of some Governors namely, Governor Rasheed Ladoja of Oyo State, who was impeached by the State House of Assembly, for his refusal to play along with President Olusegun Obasanjo. Governor Peter Obi of Anambra State was also impeached by the State House of Assembly while Governors Chris Ngige and Andy Uba, also from Anambra State were sacked by the court on the grounds that the elections that brought the duo to power were marred with rigging. On the other hand, some states Governor have influenced the impeachments of their Deputies and Speakers of their State Houses of Assembly.

Although, Murray (1975) has noted that when the executive and legislature are headed by different parties, there is bound to exist conflict, this is likely to render the government ineffective as a result of disagreement in policy directions. This argument should not be considered as a blanket statement, because there are many instances where the leadership of the executive and legislature belongs to the same party, yet they are enmeshed in conflict of interests. A typical example of this scenario was what happened at the beginning of Nigeria's Fourth Republic, where the leadership of both the executive and legislature belonging to the same ruling Peoples' Democratic Party (PDP), yet the executive led by President Olusegun Obasanjo, displeased with the way the parliament was querying its submissions to the parliament; the President therefore, sponsored his loyalists within the parliament and they succeeded in impeaching three consecutive Senate Presidents namely, Senators' Evans Enwerem, Chuka Okadigbo and Adolphus Wabara including the Speaker of the Federal House of Assembly, Honorable Salisu Buhari, who was impeached for forgery of certificate. Clearly, the conflict ridden relationship that exist between the executive and legislature has been slowing down the process of governance, thereby having debilitating effects on good governance in the country.

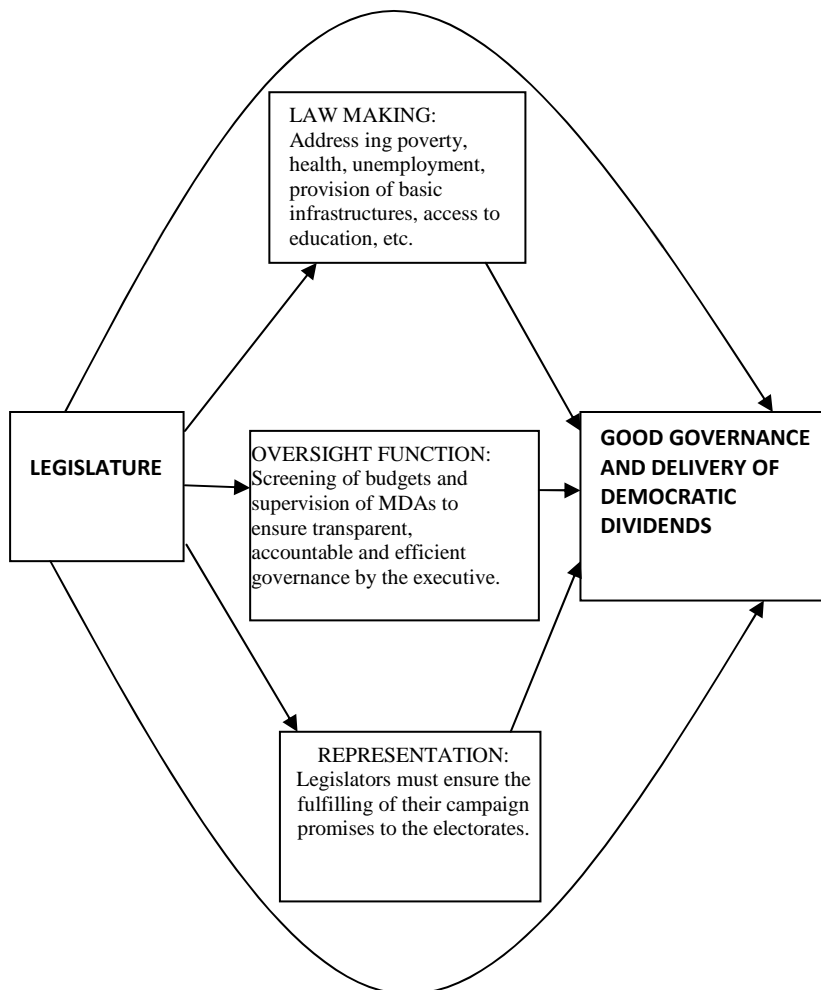
### **2.1.5 The Role of Executive and Legislature in Promoting Good Governance**

Natufe (2006) defines government as a collective body of elected and appointed institutions empowered to legislate and adjudicate for the good of the society. However, Esman (1997:1) has argued that before governance can be considered good, government has got to 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". As a result, Boeninger (1992) has defined governance "as good government of society, with a capacity for efficient problem-solving and conflict resolution." Governance strictly refers to the administration of a state. Therefore, the ultimate objective of governance is to efficiently and equitably deliver public good to the citizens of a state and this is what is referred to as good governance. Marc and Byong-Joon (2002) refer to good governance as the term that symbolizes the paradigm shift of the role of governments. It is also pivotal to a successful democratization and by extension, development" (Omotola, 2007).

Clearly, the 1999 Constitution of the Federal Republic of Nigeria, explicitly states that the legislature shall make laws for the good governance of Nigeria; ditto the executive shall implement policies for the good governance of Nigeria. It is however doubtful if these institutions have been able to conceptualize the intent and meaning of the spirit and letter of these words stated in the constitution. This is due to the fact that the quest for the achievement of good governance in Nigeria has continued to be a mirage, especially with the high incidence of poverty plaguing the citizens of the country as well as high level corruption among public officers in the government. Importantly, the legislature and executive can work out a synergy to re-focus and re-engineer the policy making and implementation process to promote good governance. This is based on the fact that "...both the executive and legislature are vehicles for engineering good governance..." (Momodu, 2012). While the parliaments has been referred to as the "nerve endings" of the polity (Johnson, 2005), the executive is the conduit for facilitating governance.

On one hand, legislatures play critical role in the promotion of good governance in democratic regimes. This role is primarily discharged through the exercise of the basic legislative functions of law making, representation and oversight. For instance, Johnson and 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 programmes (Sharkey, Dreger and Bhatia, 2006). Also, through their election, parliamentarians are the "trustees" of public mandate, given periodically through elections (Marshall, 2003).

The most important way that legislatures can contribute effectively to good governance is through the exercise of the instrumentality of its oversight function. Legislative oversight function is the supervisory responsibility that the legislature carries out on the executive and MDAs in order to ensure that they comply with legislative enactments as well as judiciously expending their budgets in order to effectively meet their policy mandates. In practicing oversight function for example, Johnson (2005) avers that parliaments look back on government spending and activities to determine whether money was spent appropriately, and to ask “value for money” questions. According to Williams and Huyghebaert (2008) legislatures have an array of tools at their disposal for conducting oversight. The most common tools include: questions to ministers (oral and written), interpellation, and votes of no confidence. Other tools include mechanisms related to budgetary oversight, impeachment, and the possibility for the parliament to establish ad-hoc committees, commissions of enquiry or an ombudsman’s office. By and large, legislative strengthening is the cornerstone of efforts to secure democracy, reduce corruption & promote good governance” (Oslo, 2012).



*Source: Momodu (2012).*

**Fig: 1** Legislature and good governance model

The model above describes the tripartite function of the legislature namely, law making, oversight and representation. The model therefore, illustrates how the exercise of these functions can translate to the achievement of good governance.

On the other hand, the executive is the main institution charged with the responsibility of delivering good governance through the formulation and implementation of policies that would enhance the efficient management of the state’s resources. More importantly, most and if not all presidential constitutions confer the power and the responsibility on the executive to manage the collective wealth of the nation for the common good

of all the citizens. For instance, the 1999 Federal Constitution of Nigeria section 16 (1) a, b, c and d, says that, “The state shall, within the context of the ideals and objectives for which provisions are made in this constitution - Harness the resources of the nation and promote national prosperity and an efficient, dynamic and self-reliant economy; Control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity; without prejudice to its right to operate or participate in areas of the economy, other than the major sectors of the economy, manage and operate the major sectors of the economy; Without prejudice to the right of any person to participate in areas of the economy within the major sector of the economy, protect the right of every citizen to engage in any economic activities outside the major sectors of the economy”. The civil service which is the main organ of the executive is charged with formulating and implementing development programmes, as Adegoroye observes that the Nigerian civil service is more active both in the formulation and implementation of development policies and programmes.

By and large, attaining the quest for 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 needs to be a certain degree of cooperation between the branches in policy making (each side must be willing to bargain and compromise in order to get some policy benefits), the legislature must have some capacity to monitor the executive, and the executive needs to be willing to comply with legislative enactments.” Collaboration between the executive and legislature is crucial for attaining national development because “policy making and policy execution regulated by systems of law and guidelines which are segregated into specific operations to achieve specific national objectives (Shehu, 1999:1).

### 3. Methodology

This research employed a survey design and analysis is based on primary data generated through a structured and an unstructured questionnaires administered on respondents. The population of the study covers the entire executive, legislature, bureaucrats, politicians and members of the public. A sample of 100 subjects were randomly chosen from the population, comprising 10 legislators, 10 members of executive branch, 20 party politicians and 40 civil servants and electorates. The subjects were accidentally selected at various locations such as: State House of Assembly Complex, State Civil Service Secretariat, Governor’s Office complex and the two universities all in Adamawa State, Nigeria. Questionnaire was constructed as appropriate survey instrument. The data obtained through the questionnaire was analysed using simple percentage and standard deviation statistical tools. A four-scale Likert scale format was used to construct the responses of the questionnaire namely, Strongly Agree (SA); Agree (A); Strongly Disagree (SD) and Disagree (D).

### 4. Data Presentation and Analysis

The following demographic data were obtained.

**Table 1: Demographic Data**

Age		Education		Social Status		Religion		Sex	
Range	Frequency	Qualification	Frequency	Category	Frequency	Religion	Frequency	Sex	F.
18-30	21 (21.0%)	Postgraduate	16 (16.0%)	Legislators	10 (10.0%)	Christianity	37 (37.0%)	M	69 (69.0%)
31-40	27 (27.0%)	BSc./HND	28 (28.0%)	Executives	10 (10.0%)	Islam	49 (49.0%)	F	31 (31.0%)
41-50	35 (35.0%)	Diploma/ OND	34 (34.0%)	Civil Servants	30 (30.0%)	ATR	13 (14.0%)		
51-60	11 (11.0%)	School Cert.,	14 (14.0%)	Politicians	20 (20.0%)	Atheist	0 (0.0%)		
60 and above	6 (6.0%)	Others	8 (8.0%)	Electorates	30 (30.0%)				
<b>Total:</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

**Source:** Field survey, 2013.

In the demographic data, 21 subjects were between the ages of 18-30, 27 (31-40), 35 (41-50), 11(51-60) and 6 (61 and above). This indicates that politically active people concerned with legislative, executive affairs



were mostly between the ages of 41–50 years, while interests in executive-legislative affairs are found to be on the decline among those within the age category of 60 and above years with 6 members. Those with the highest educational qualifications are Diploma/OND holders while the lowest educational qualifications are those with other qualifications lower than school certificate. The social statuses include ten (10) each for executives and legislators, 20 for politicians, 30 each for civil servants and electorates. Islam is the highest religious group with (49), Christianity has (37), African Traditional Religion are (13), while Atheist remain (0). Finally, males have the largest number with (69) and females are (3).

**Table 2: RQ 1: What are the causes of executive-legislative conflict?**

S/NO	ITEM	SA	A	SD	D	SUM	MEAN	STD
6	Struggle for power and superiority between legislature and executive.	66	68	16	22	172	3.034884	0.075758
7	Conflict over the role that each organ should perform.	58	76	22	16	172	3.023256	0.069745
8	Limited conceptualization and understanding of their constitutional responsibilities.	92	62	8	10	172	3.372093	0.062668
9	Display of personal ego between the leadership of executive and legislature.	74	66	20	12	172	3.174419	0.067993
10	Religious and ethnic sentiments.	32	42	44	54	172	2.302326	0.083906
11	Arbitrariness and domineering attitude of the executive over the legislature.	70	82	8	12	172	3.22093	0.06305
12	Greed and corruption between members of the two organs	86	52	8	26	172	3.151163	0.080994
13	Victimization of the executive by the legislature through delay in passage of the budget.	36	54	40	42	172	2.488372	0.082011

**Source:** Field survey, 2013.

Table two above presents the analysis of the factors that causes executive-legislative conflicts in Nigeria. Accordingly, limited conceptualization and understanding of their constitutional responsibilities (Mean=3.372093); followed in succession by arbitrariness and domineering attitude of the executive over the legislature, was ranked as the highest (Mean=3.22093), next is display of personal ego between the leadership of executive and legislature (Mean=3.174419); followed by greed and corruption between members of the two organs (Mean=3.151163); closely followed by struggle for power and superiority between legislature and executive (Mean=3.034884); next is lack of clearly defined roles in the constitution that executive and legislature should perform (Mean=3.023256) .

**RQ 2: What are the negative impacts of executive-legislative conflicts on good governance in Nigeria?**

In determining the negative impact of executive-legislative conflict with an open-ended question, which states thus: “What do you consider to be the negative impact of legislative-executive conflict on good governance in Nigeria?” Only 86, representing (86%) of the respondents responded to the questions out of 100. Fourteen (14) respondents left the answer space blank, which represent (14%). The following negative impact was extracted:

1. Slows down the pace of governance.
2. It creates suspicion and hostility between the two organs.
3. Encourages bad governance
4. Public resources are deployed by executive to create factions in the legislature, which undermines the unity of the legislature.
5. It creates division between the executive and legislature.
6. It creates distraction to the process of governance.
7. It creates tension and political instability.

8. It encourages the culture of impunity and disregard for the rule of law among the political class.

### **RQ 3: What are the positive impacts of executive-legislative conflicts on good governance in Nigeria?**

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

1. It assists the legislature to constructively monitor and criticize the policies of the executive through their oversight function.
2. It strengthens the democratic process.
3. Promotes good governance and responsible leadership.
4. Helps the legislature to check the recklessness of the executive.
5. Helps the legislature to set agenda for the executive in promoting good governance.
6. Promotes transparency and accountability in governance.
7. Assist the executive to be focused and committed to delivering good governance to the citizens.
8. It helps the legislature to make efficient laws that will promote good governance.

#### **4.1 Discussion of Findings**

From the previous discussion, it was established that executive-legislative conflicts have been occurring at the federal and state levels since the commencement of the Fourth Republic and that it has been having debilitating impact on the process of good governance at the federal and state levels. From the analysis carried out so far in this study, it was found out that several factors are responsible for the triggering-off of executive-legislative conflicts in Nigeria. These include: limited conceptualization and understanding of their constitutional responsibilities; struggle for power and superiority between legislature and executive; conflict of roles; display of personal ego between the leadership of executive and legislature; arbitrariness and domineering attitude of the executive over the legislature and greed and corruption between members of the two organs. These findings are in tandem with the observation of Rockman (1983), who identifies the causes of executive-legislative conflict to include: pride and personality clash, executive dominance, ignorance of the constitution, functional overlapping and legislative performance of oversight function. Generally, conflicts between the executive and legislature are often precipitated by the pursuance of incompatible political goals between these institutions. As Wolff (2006:2) observe that “conflict is a situation in which two or more actors pursue incompatible, yet from their individual perspectives entirely just goals”. However, Dahrendorf (1959) believes that “conflict in the organisation creates tension within the organizational system.” This is because conflict “is a process that begins when one party perceives that another party has negatively affected, or is about to negatively affects, something that the first party cares about” (Robbins, 1998). In most cases, conflicts between the executive and legislature are products of zero-sum politics played by both institutions in the policy making and implementation process.

The study also identified the negative impacts of executive-legislative conflicts on good governance in Nigeria. These include: slowing down the pace of governance; creates suspicion and hostility between the two organs; encourages bad governance; public resources are deployed by executive to create factions in the legislature, which undermines the unity of the legislature; it creates division between the executive and legislature; it also creates distraction to the process of governance; it creates tension and political instability and it encourages the culture of impunity and flagrant disregard to the rule of law among the political class. These findings are also consistent with the observation of Nwosu (1998) and Ajayi (2007), with regards to the Nigerian case, they argue that the previous republics collapsed largely not because the constitutions were bad. Rather, the demise of these republics resulted from the inability of the governing elites to comply with the basic rules of the game. Similarly, Stepan and Skach (1994) in their study uncovered a significant correlation between presidential constitutions and democratic breakdown in a large cross-section of countries, with appropriate controls for other relevant factors. This is usually because the executive and legislature, though they have different roles to play, yet they sometimes pursue incompatible goals or interests, which often deadlocks the policy making and implementation process, thereby impacting negatively on the process of good governance. Executive-legislative conflict has profound consequences on the policy making and implementation process to the extent that it affects the smooth running of the affairs of the state. But a prompt and efficient management of executive-legislative conflict can assist in averting its dysfunctional consequences.

What is important therefore, is that the executive and legislature must understand that they are both important institutions, having power to make or unmake the smooth functioning of the democratic process, as such they must collaborate together to work for the good governance of the state. As Linz (1994) avers that without going into the complexities of the relationship between the executive and the legislature in different

presidential regimes, the relative dangers of predominance of one or the other, and the capacity to veto or stalemate decisions on legislation, there can be no doubt that presidential regimes are based on a dual democratic legitimacy. Hence, Cameron (1996) advises that “vetoes, long delays, wrangling, and public excoriation are all members of a family of bargaining ploys continually used by presidents and legislators in their struggle for influence over the products of legislation.” The dysfunctional nature of executive-legislative conflict “creates obstacles to decision-making” (Ruekert & Walker, 1987b), which largely impact negatively on the process of governance.

Finally, the study identified the positive impact of executive-legislative conflicts on good governance in Nigeria. These are: it assist the legislature to constructively monitor and criticize the policies of the executive through their oversight function; it strengthens the democratic process; promotes good governance and responsible leadership; helps the legislature to check the recklessness of the executive; helps the legislature to set agenda for the executive in promoting good governance; promotes transparency and accountability in governance; assists the executive to be focused and committed to delivering good governance to the citizens and it helps the legislature to make efficient laws that will promote good governance. These findings are in line with the work of Hellriegel & Slocum (2004), who found out that “conflict leads to improved problem solving or decision- making, to the stimulation of creativity and may increase the productivity”, of institutions and organisations. Similarly, Tjosvold (1997) also found out that conflict may be perceived as inevitable in successful organizations. It is also believed that positive or functional conflicts have beneficial effects which flow from the consultative interactions that occur when functional conflict is present (Schwenk, 1989 and Tjosvold, 1985). This underscores the positive impact of conflict in building a constructive and functional relationship within or between group(s), which in turn enhances the group’s efficiency and productivity. For instance, Nwokeoma (2011) indicates that the ability of any democratic government to deliver the concrete benefits of good governance to the citizens is determined by the smooth functioning of the executive, judiciary and legislative arms of government. He therefore argues that this assumption reinforces the theory of separation of the powers of the different arms of government to prevent arbitrariness, tyranny and recklessness. Johnson and Nakamura (1999) have also asserted that “effective legislatures contribute to effective governance by performing important functions necessary to sustain democracy in complex and diverse societies.” Also, executive-legislative conflict can assist in strengthening the constitutional duties of both the executive and the legislature.

## **5. Concluding Remarks**

In general, this study has generated a number of important findings on the causes and impact of executive-legislative conflicts on good governance in Nigeria. Indeed, the study established that executive-legislative conflicts at the federal and state levels have profound negative and positive impacts on good governance in the country. Essentially, the relationship that exists between the executive and legislature is very crucial for facilitating good governance in any democratic regimes. This makes cooperation preferable to conflict in executive-legislative relations. As Remington (2004) avers that for legislators to be able to play their role of representation, oversight, and legislation, “there is need to be a certain degree of cooperation between the branches (legislature and executive) in policy making (each side must be willing to bargain and compromise in order to get some policy benefits), the legislature must have some capacity to monitor the executive, and the executive needs to be willing to comply with legislative enactments.” It is incumbent therefore on the legislature to make laws that would set the agenda for good governance and it must also ensure through its oversight function that the executive and its Ministries, Departments and Agencies (MDAs) delivers on their policy mandates to the citizens at large. It is also important that both institutions should base their relationship on mutual respect, understanding and adhering strictly to the tenets of separation of powers. This, according to Taylor (1996) will assist in ‘re-establishing the proper balance between parliament and the executive’- implying that both the executive and legislature should balance the risks and benefits resulting from the frictions in their relationships for the primary purpose of running the state efficiently.

## **6. Policy Recommendations**

Based on the analysis and findings of this study, the following policy recommendations are made to improve the relations between the executive and legislature as well as improving their service delivery capacity both at the federal and state levels:

1. Both the executive and legislature should respect and strictly adhere to the tenets of the principles of separation of powers. They should also try to collaborate in necessary areas that would promote good governance.

2. The executive and legislative arms of government should embark on regular capacity building on basic conflict resolution and management training with a view to improving their conflict management skills as well as their problem solving skills.
3. The legislature should evolve different techniques and strategies to strengthen its oversight function, which would enable it to conduct regular and indepth checks and monitoring on the activities of the executives- ministries, departments and agencies. This will put the executive on its toes and it would also make it more service oriented, accountable and transparent.
4. The legislature should also focus more on making laws that would promote good governance in the country.
5. The executive should concentrate its activities on making policies and implementing same to address the needs and yearnings of the suffering Nigerian masses that are trapped in the poverty circle.
6. Both the legislature and executive should deem it necessary to always adopt dialogue in resolving their differences instead of resulting to outright confrontation that usually deadlocks the policy making and implementation process.
7. The legislature should enact legislations that would empower it to sanction the excesses and actions of the executive and MDAs that are inimical to good governance.

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