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Ngozi P. Omeje and Kemi Emifika

The Nature of Politics and Political Science

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Towards Improving Executive Legislature Relation in Nigeria's Presidential Democracy

Abdulasheed A. Muhammad

ABSTRACT

The executive and the legislature, working in harmony, are central to public policy-making and implementation in any democratic setting. This is by virtue of both institutions being the hub of policy making and implementation. In Nigeria, these institutions have remained the cornerstone of its democratic practice which is fashioned along the presidential system of government. Central to the presidential system is the idea of dispersion of governmental powers in the three branches of government. The essence of this is to curb arbitrary rule while at the same time avoid stalemate in governance which may result from improper definition of powers of each arm. However, despite the entrenchment of this doctrine in the country's constitution, observed trends since 1999 have indicated the preponderance of conflicting relations between the executive and the legislative arm. This is not without its attendant implications for governance. This paper examines the trend of relations between the executive and the legislature in Nigeria since 1999 when the country returned to democratic practice. It is argued that while the prospect of a more harmonious relation between the two arms cannot be foreclosed, some institutional and attitudinal reforms are required to stem the rising tide of executive legislative gridlock in the emerging presidential democracy.

Key Words: Nigeria, Presidentialism, Separation of Powers, Democracy, Gridlock, Governance

Introduction

Democracy, which is a system that is, principally, anchored on the informed and active participation of the citizens, promotion of rule of law and fundamental human rights of the citizens, generally lends a sense of appeal to virtually all countries of the world as it is seen as a superior way of organising the government of a country (Ogunsanwo, 2003:13). This has made it to continue to gain appropriation by different ideological leanings. The appeal of democracy especially its liberal variant, lies in the fact that it is a unique process of arriving at collective and binding decisions through institutions that recognize and guarantee the achievement of social, political and economic aspirations of the society. But while democracy thrives on the existence of such institutions (formal and informal), the executive and the legislature working in consonance is quintessential for democracy to take root. This is not to rule out the inevitability of disagreements between the two arms, but the extent to which they are able to resolve disputes, ensure compromise and sustain a productive institutional relation can go a long way to make or marre public policies.

Nigeria today can be regarded as an emerging democracy given the ability of the system to resist the various disruptive tendencies that have characterised politics from truncating the democratic process since inception in 1999. But it must be observed that prior to 1999, the march towards constitutional democracy in Nigeria, as already documented by scholars, was one characterised by anti colonial struggles prior to independence in 1960 and in later years, by political and governmental instability, various forms of conflicts, constitutional impasse, threat to national cohesion and above all, a declining economic fortune (Dudley, 1973; Tamuno 1970; Osaghae, 1998, Akinwumi, 2004). It must also be stated that at independence in 1960, Nigeria was a democracy organised according to the Westminster parliamentary tradition of its erstwhile colonial overlord.

Central to the parliamentary system is the fusion of powers between the legislature and the executive as members of parliament also constitute members of the cabinet (executive). This fusionist doctrine, no doubt, helps obliterate the probability of any executive - legislature wrangling thus, among the many ills of the First Republic, executive legislature conflict was less prominent. However, a combination of politically exigent factors including questions bordering on adaptability of the parliamentary system to plural society like Nigeria, manipulation of political institutions by powerful political interests, stalemate in governance among others not only led to collapse of the democratic structures but were also a major attraction in dumping the parliamentary system for the presidential system beginning from the Second Republic in 1979. With the adoption of the Presidential system beginning from the Second Republic in 1979, a new trend which has continued to resurface in subsequent Republics emerged in the relation between the two arms of government. This border on struggles over policy issues between the two arms, the end result of which is a conflict of interest between them. Indeed, the current Fourth Republic, especially from 1999 to 2007, seem to have witnessed more conflict situations than cooperation manifesting at times in open antagonisms between the two arms, disputes over budgets and unwarranted bickering and suspicion. A pertinent question then is what accounts for the current trend in executive legislature relations? This is necessary given the fact that the current presidential system has as its hallmark the dispersion of governmental powers in the three organs of government which are clearly spelt out in the constitution. Also, given the fact that, though not so conspicuous, there have been areas of agreement between the two arms on policy matters, the current trend cannot be considered as a hopeless or perpetually conflicting situation. Thus, how can this situation be improved? These issues form the major concerns of this paper.

Gridlock, Governance

Presidential System: Theoretical Insight

The Presidential system has to do with the notion of a regime type (constitution) which provides for the power of the Head (President) to be exercised independently of the elected assembly (congress) (Riggs, 1988: 248). In this case, there is a functional and constitutional separation of jurisdiction between the executive and the legislative arms. This perception constitutes the dominant trend in the attempt at understanding the nature of Presidential system across countries. In other words it is the parameter by which a political system is adjudged as being Presidential or otherwise.

The Presidential system has its root in the American political system and may be considered as America's contribution to political organisations (Okege, 2002:138). This also accounts for why most Presidential democracies are fashioned along the American model. However, this is not to suggest that the American system has remained perfect or static since its inception in 1787. Burns (1965:48) notes that the century after 1787 witnesses several oscillations in the power relations of president and congress. Equally, Riggs (1988:247) laments the complacency of most American political scientists who while analysing the experience and problem of governance in America tend to take for granted, the essential viability of its constitutional design by alluding to the longevity of the system as irrefutable evidence of its superiority and its export value as a model for emulation by would be democracies. For Riggs, if American politics were to be studied within the context of comparative politics, such complacency could not be defended (Riggs, 1988:247). It is perhaps a vindication of the futility of the American model within comparative context that there exist a wide range of sub categories and variations within the Presidential system. Shastri (1999) writes that while Presidentialism has come to imply a popularly elected head of state, who is also head of government not subject to

discharge by mere parliamentary votes, interesting institutional differences can be discerned across Presidential systems. Thus relying on comparative data, he notes that:

In Latin American - the continent of Presidentialism - the ministers/advisers are in most cases permitted to participate in the legislature debates. In Peru, the President is required to appoint a chief of cabinet who presides over the council of Ministers which in turn, can be censured by the House of Deputies...In Costa Rica too, the legislative assembly can censure ministers...Further, some Presidential systems have sought to check the presidency by fixing term limit or prohibiting immediate re-election (Shastri 1999).

Irrespective of the variations that may exist across political systems, the Presidential system remains one of mutual dependence among the arms of government especially the legislature and the executive while each also has its fixed electoral mandate that is its own source of legitimacy (Stepan and Skach, 1993:3-4).

Raging debates exists in the literature on the distinguishing features of both the presidential and Parliamentary systems as well relative advantage of one over the other (Bagce, 2002; Lyne 2002; Shastri, 1999; Stepan and Skash, 1993; Varney, 1992; Harowitz, 1990; Linz, 1990; Riggs, 1988; Nwabueze, 1973;). But one central feature of the Presidential system and which sets it aside from the parliamentary model is the doctrine of separation of powers. The idea of separation of powers is predicated on the necessity for entrusting governmental powers in the three branches of government. That is, the legislature, the executive and the judiciary. This is based on the understanding that governmental 'power is of an encroaching nature and that it ought to be effectively restrained from passing the limits assigned to it' (Oellinger and Meesse, 2000). In other words, while the legislature should be primarily concerned with the task of law making, the executive implements the laws and the

judiciary adjudicates. The thrust of this idea was given by Montesquieu, who popularised it thus:

Political liberty is to be found only when there is no abuse of power. But constant experience shows us that every man invested with power is liable to abuse it, and to carry his authority as far as it will go.... To prevent this abuse, it is necessary from the nature of things that one power should be a check on another.... When the legislature and executive powers are united in the same person or body... There can be no liberty.... Again, there is no liberty if the judicial power is not separated from the legislative and executive.... There would be an end of everything if the same person or body, whether of the nobles or of the people, were to exercise all three powers (quoted in Okoli and Okoli, 1990:115).

The idea finds further development in early American constitutionalism as reflected in the writings of the founding fathers. For instance, James Madison, in the Federalist no. 47, underscored the importance of separating governmental powers as a safeguard for preserving citizens' liberty when he asserted that 'no political truth is certainly of greater intrinsic value, or is stamped with the authority of more enlightened patrons of liberty' than the separation of powers among different branches of government. For him, therefore:

The accumulation of all powers, legislative, executive and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self appointed, or elective may justly be pronounced the very definition of tyranny (Eliot, Chambers and, Salisbury, 1960:78).

Interestingly, much of contemporary idea about presidentialism and separation of powers have continued to draw impetus largely from its operation under the American presidential system. But while the three arms of government are expected to perform separate functions, the idea behind separation of powers was not to create a stalemate in governance which a water tight separation can lead to. Rather, if liberty of the citizens remains the central concern of the theory as propounded by its classical proponents, then power must equally be used to check power. The legislature must be able to check excesses of the executive arm, for instance, by refusing to pass executive bills into law and through the instrument of legislative oversight of the executive arm. Equally, the executive should be able to check the legislature through Presidential veto of legislative bills. Similarly, the judicial arm, through the instrument of judicial review can declare both legislative and executive actions as unconstitutional, null and void and of no effect. These prescriptions of the theory may not be surprising giving the fact that its central assumption is that power corrupts, absolute power corrupts absolutely. The Presidential system therefore, is one of mutual interdependence among the arms of government in a Presidential state.

The 1999 constitution of Nigeria establishes the constitutional framework for relation between the various arms of government, more especially, the legislature and the executive. These are contained in sections 4 and 5 of the constitution respectively. While this is done on the basis of the principle of separation of powers, it is not conceived in absolute sense. In order to create a system of checks and balances, the constitution also, impliedly, provided areas of shared competencies. For instance, although the legislature has the primary responsibility for law-making, the assent of the president is very necessary before it can become operational. Similarly, while the President reserves the power to appoint ministers and ambassadors, legislature's approval and confirmation is also essential. Thus it may be contended that rather than absolute separation, there is a 'good measure of coordinate exercise of functions' (Eze, 2006: 109) defined by the constitution.

Trends in Executive - Legislature Relations

As already noted above, the powers of the government of the Federal Republic of Nigeria have, in line with the doctrine of separation of powers typical of the presidential system, been dispersed in the three principal organs of government. These are contained in sections 4, 5 and 6 respectively of the 1999 constitution. By this, the constitution has established the framework for effective relation between the arms and most especially between the executive and the legislature both of which constitute the hub of public policy making and delivery. The link between the legislative and the executive arms revolves around virtually all the areas of primary responsibility of the former. These are law making which includes appropriation laws, confirmation of appointments and oversight of the executive and its agencies. Observed trend, however, has revealed that contrary to the intentions of the constitution, relations between the two arms of government have largely been conflicting since inauguration of the current democratic administration in 1999. This fact of a conflicting relationship is often reflected in public pronouncements by some of the principal officers of the two institutions (see Nnamani, 2006:75; Zailani, 2002:8; Akinterinwa 2004:41). It is even more puzzling to note that the Peoples' Democratic Party (PDP) led executive also controls majority of seats in both houses of the National Assembly (NASS), conflicting relation is still rife. The greatest area of conflict between the legislature and the executive in the area of law making relates to appropriation bills. There is no doubt that budgeting issue have remained a volatile one between the legislative and the executive arm at the federal level in Nigeria since 1999. This may be understandable given the centrality of budgeting to public policy making and implementation and the overall efficiency and effectiveness of the government (Eminue 2006:159-161). Unfortunately, the tendency for budgeting issues to easily assume the dimension of a scourge leaves much to desire. Specifically, this has been the case with virtually all appropriation bills in the country since 1999 forcing the president at times to withhold his assent to the bills. Insightful

details on the budgetary controversies have been provided by Eminue (2006), Aiyede (2006), Aiyede and Isumonah (2002), Ehwarime (2001). What is worthy of note is that the point of discord usually revolve around the right interpretation of constitutional provisions relating to the powers of each arm on budget matters. For instance, the constitution provides in section 80 (3) and (4) that:

No moneys shall be withdrawn from...the consolidated revenue fund of the federation, unless the issue of those moneys has been authorised by an Act of the National Assembly ... (and) in the manner prescribed by the National Assembly.

The implication of the above section is that only the national assembly has the right to authorise any form of expenditure from the federation account. But the constitution also places in section 81, the power to prepare such amount as to be expended and the right to expend such as approved by the NASS, in the executive arm. By this, the executive has the exclusive power to propose and (after approval), implement. However, this constitutional delineation of responsibilities remains lost to both actors as they tend to encroach on each others dwell. More often than not, the NASS unilaterally increase some budgetary allocations in the executive's proposal while the executive too at times *jump the gun* on some issues requiring prior legislative approval. Ordinarily, where situations like this occur, it beholds the judiciary to intervene. But a situation where none of the parties is willing to approach the court, this raises another fundamental question of whether the judiciary can on its own make a pronouncement in such respect. Apparently, there is no such power conferred on the judiciary in the Nigerian constitution. This is a lacuna that requires re-examination. Thus, rather than simplistically attribute executive legislative intransigence to the prolonged years of military rule and the military mentality of formulating and implementing policies without recourse to approval from any legislative assembly (Ahmadu, 2006:3), the essential factor lies in their failure to

engender mutual understanding and appreciation of each other and inability of the judiciary to respond to the challenge. The usual consequences are delays in passing appropriation bills, horse trading/ media war between the two arms and above all, slow pace of governmental activities. In the past, such acrimonious relationships have led to impeachment threats against the president of the federal Republic (see, Omotola, 2006; Omotola 2003; Madunagu 2003; Iyinbo 2006).

Another major area where executive-legislative conflicts have come forcefully to the fore at the national level was in the attempt to review the 1999 constitution. Early in 2006, the President, Olusegun Obasanjo, presented before the NASS, a proposal for the review of the 1999 constitution of the Federal Republic of Nigeria. The proposal was based on the report of the national political reform conference (NPRC) convened by the president in February 2005. the presentation also coincides with the period when the NASS already had a committee charged with the responsibility of reviewing the 1999 constitution. Therefore, the President's proposal was an additional input for the NASS committee. It needs to be stated that agitations for a review of the 1999 constitution dated back to the beginning of the Fourth Republic. Unlike under the military where opinions were stifled, democracy offered greater opportunities for citizens to express their views on issues of Governance. Given this scenario, Nigerians were unanimous in calling for a review of the constitution which at best can be described as a military contraption, non inclusive and lacking in legitimacy. Central issues that capture the attention of citizens and civil society groups for review include citizenship and residency rights, enhancement of the practice of federalism, equity and justice in governance among others. (See, Ibrahim, 2006:3). But for the 'somewhat pugnacious posture of that legislative era in its relationship with the executive and the seeming endless crisis that was part of the learning experience of that era' (Mantu, 2006:3), the review could not be embarked upon during the First phase (1999 - 2003) of the democratic administration. Thus, in 2006 during the Second phase of the administration, the

President submitted a proposal containing about 185 items for review and or inclusion in the constitution to the NASS. However, the attempt resulted into conflagration between the executive and the NASS because of what has been described as the 'controversial signposts' (Anifowoshe, 2006:56), to tenure extension. This relates to determining the actual intention of Mr President with regards to achieving an elongation of his tenure beyond the constitutional limitation of 2 terms of 4 years each through the proposed constitution amendment. This could not have been surprising given the fact that extension of the term of office for the President and state governors was one of the items on the proposal. It is important to stress that the issue not only generated serious acrimony and conflict between the legislature and the executive leading to media war and pouring of diatribe on each other, it also led to polarisation within the legislative institution much as it generated much polemics among the citizens. For the trends and dimension of the polemics at this period, see, Olurode (2006); Mohammed, (2006); Saliu and Muhammad (2007). Equally, the issue heightened the tension that was already brewing between the President and his vice, Atiku Abubakar. While Atiku was interested in becoming President after exit of the incumbent President Obasanjo on the expiration of two terms of 4 years each in May 2007, the incumbent was not willing that Atiku should succeed him. This situation coupled with suspicion of tenure elongation by the heightened the level of mistrust between the President and his Vice. But as the whole episode was driving the country towards an impasse, relief came when the NASS on May 16, 2006 formally discontinued debates on the whole process of constitutional amendment. This is not to suggest that harmonious relations have not existed between the two. For instance, both arms seem to have a consensus view on the issue of Nigeria/s debt forgiveness. However, the spate and rate at which they produce gridlocks especially on many other issues of national importance suggests predominance of an acrimonious trend.

Understanding the Problem in Executive Legislature Relation

There is no doubt, that executive - legislature conflict in Nigeria has been compounded by mutual distrust on the part of both arms. In fact, this could be attributed as responsible for the constant diatribe and uncomplimentary remarks emanating from each arm against the other. In effect, they have continued to play mouse and cat game in their relations. In a way, the mutual distrust emanates from wrong perception of institutional roles by each arm of government which in turn can be linked to their competing claim to democratic legitimacy. This claim is a reflection of the electoral process which ensures the President is elected directly by the people in a general election. Thus, he has the entire country as his constituency. Equally, while the lawmakers are elected by their separate constituencies, as a body, they also have the whole country as their constituency. Therefore on major policy issues such as the national budget, differences in perception and preferences of each organ would naturally result in gridlock as both will be claiming to act in the people's interest.

It could also be reasoned that executive legislature conflicts in Nigeria can be interpreted in terms of 'political opportunism'. That is, a tendency which relegates principles to the background in the conduct of political affairs (cf. Saliu and Muhammad 2007:533). This is usually done against the background of financial or material benefits accruing to the actor(s). Thus, principles are abdicated in favour of material benefits. This accounts for the sharp divisions that often ensue in the ranks of law makers because some easily become susceptible to opposition influences or forces outside the government. Invariably therefore, some executive legislative conflicts are masterminded by forces outside the precincts of the institutions but using forces within the parliament. The influence of godfathers in this regard is a useful reference. This tendency, scholars have argued further, is rooted in 'Nigeria's political culture of primitive accumulation' that includes 'the reciprocal expectation concerning the nature of reward, which continues to condition the behaviour of the political class in ways that defy constitutional propriety and civility' (Bassey, 2006:

133). Consequently, the fight for personal aggrandisement will suddenly wear the garb of fight for people's interests. In clear terms, the volatile disagreement within the legislative arm as well as its disagreement with the executive arm over review of the 1999 Constitution of the Federal Republic of Nigeria exemplifies this politics of primitive accumulation especially with allegations of financial inducement from the executive to some legislators to support the tenure extension bid.

Equally central to understanding the taxonomies of conflict between the executive and legislative arm in Nigeria is the consequence of a long tutelage under military autocracy (Dunmoye, Njoku and Alubo, 2010; Bassey, 2006; Abdullahi, 2004; Wader, 2004). On the one hand, this led to underdevelopment of democratic institutions, especially the legislative arm which usually is the most affected, accompanied by immaturity and lack of the much needed expertise required for effective functioning. When placed along side a more institutionalised and ever burgeoning executive arm with array of experts (being the only enduring institution even under military rule), it is axiomatic to expect that conflict will naturally ensue in what is supposed to be a relation of equal partners (Salsiu and Muhammad, 2010). On the other hand, the long years of military rule have created a militarised mentality in most Nigerians including the political class. According to Basey (2006), most members of Nigeria's current political class have **directly or indirectly undergone their political socialization under authoritarian and repressive military rule.** This notion runs contrary to the spirit of tolerance and compromise that help sustain the democratic fabric. Yet it may be insinuated that the preponderance of acrimonious relations may not have been if effective mechanisms had been put in place to resolve grey areas before they escalate. This tendency has led some scholars to recommend 'effective liason' between the two arms as a way of preventing or resolving gridlock (Ita-Giwa, 2004; Abdullahi, 2004; Adejokun, 2004). Similarly, Dunmoye (2003a) have recognised the role which an independent and virile judiciary can play in this process. But we must note that,

the judiciary in Nigeria is a dumb partner in the tripartite division of powers. This is because, except it is requested by other arms, the judiciary can only observe but cannot talk (Saliu and Muhammad 2010). Therefore, where there is lack of willingness on the part of actors to seek judicial interpretation for issues, conflict in executive legislature relations will continue to blossom.

Implications and the Way Forward

Our analysis so far shows that executive - legislature relations in Nigeria have largely been conflict ridden. This is in spite of constitutional provisions which try to delineate the sphere of powers of each arm of government both at the federal and state levels. Indeed, contrary to the (theoretical) assumptions that the presidential system with its inbuilt separation of powers (and complimentary checks and balances) would allow for stability and an effective and efficient government, the Nigerian situation have largely proved otherwise. This is because conflict between the legislature and the executive which has remained rife both at national and states level in Nigeria has not only been putting strain and stress on the political system, it is equally diversionary as valuable time and resources are dissipated on resolving such conflicts. Equally, its implications for good governance are axiomatic. It leads to delay in policy execution much as it polarises the electorates and even civil society groups (including the press) who tend to pitch their tent with the different arms. These are in addition to the multifaceted governance implications. But it must also be stated that, in spite of the current fluctuations in executive legislature relations, the presidential system with its method of dispersing governmental powers still holds greater prospect for the country. This believe we may anchor on the fact that the current problems have not emanated from the nature of the presidential system, which inherently remain the most suitable option for a culturally variegated country like Nigeria that requires accommodating and effectively giving representation to the diversities. On the contrary, they are problems emanating from failure of political elites and actors to explore the flexibilities and adjustments that are possible in the

structure and processes of presidentialism. First, while the three arms of government under the Presidential System have their powers clearly stipulated in the constitution, the way and manner of crafting these powers especially that of the judicial arm, limits its ability to function as an independent arbiter between the other two arms. This is because, in the face of constitutional impasse between the other two arms, the judiciary is usually standing aloof except it is consulted by either party, who in most cases are not willing to consult the judiciary for rightful interpretation of constitutional provisions in question. This is a major lacuna which needs to be redressed. In other words, the judiciary should be made to speak, not only when it is called upon, but also, when it becomes politically and constitutionally expedient to do so. This will go a long way in helping to address prolonged bickering between the executive and the legislature on issues of public importance and its attendant implications.

Second, there is the need to go beyond constitutional frameworks in managing relations between the two arms of government. Livingston (1952), had argued long time ago while advocating a sociological approach to the problems of federalism that legal answers are only applicable in the solution of legal problems whereas the problems of federalism goes beyond mere legal problems. Borrowing insight from this we may argue that, the problems of governance generally and indeed inter organ relations requires moving beyond constitutional prescriptions. While the constitution exists to provide minimal / legal frameworks, some extra constitutional strategies are required to give bight to constitutional provisions. Therefore, establishment and strengthening of such extra constitutional frameworks will go a long way in helping to improve relations between the executive and legislative arms of government. Although some of these frameworks are already existing in terms of office of the majority leaders in the NASS and presidential adviser and liaison officer to the NASS, but all these need to be strengthened and infused with the necessary technical and professional inputs required to facilitate

harmonious relations.

Related to the above is the establishment of professional think-tanks to assist the process of policy formulation and implementation. The establishment of the Policy Analysis and Research Project (PARP) under the NASS is a welcome development in this regard. However, a similar institution is required under the executive arm. Also, promoting synergy in the activities of such institutions and other specialised research institutions will go a long way not only in improving the process of policy formulation and implementation but as well, have a positive impact on policy output.

Third, there is also the need to ensure party discipline especially among elected officers. Political parties generally are made up of people of like-minds. While this is not to rule-out the possibility of individual differences in opinion, a situation where members of the same party in the legislature and/or the executive to the part of irreconcilable differences suggests absence of party discipline and lack of internal mechanisms for reconciling and aggregating differences in opinion. The trend of executive legislature conflict in Nigeria have revealed that virtually all members of the ruling Peoples' Democratic Party (PDP) are principal actors. However, a situation where parties are able to enforce discipline on their members and also device internal mechanisms for aggregating views will go a long way in helping to smoothen executive legislature relations.

Lastly, deliberate attitudinal orientation is required on the part of political actors. This requires self examination and reflection on the part of policy actors. The penchant to employ 'jackboot mentality' (Dunmoye, 2003b) in institutional relation is not only anti democratic but counter-productive. Therefore, actors must in the national interest, subdue egoist tendencies to dictates of reason, tolerance and compromise. Equally, the civil society at large has a role to play. The press for instance, must be able to provide accurate and informed position on such national issues as occurring between the executive and the legislature. Indeed, the

significance of the media in the governance process of African countries, including Nigeria have been emphasised (Ozekhome, 2009; Okigbo, 2007; Sadeeq, 2006), the press in Nigeria is yet to fully wake up to this realisation. More often than not, the press in Nigeria is usually an interest party in executive legislature conflict through sentimental rendering of information about the processes of governance. Therefore, objective reportage of issues will go a long way in fostering harmonious relations between the arms of government.

Conclusion

In this paper we have tried to examine the trend of executive legislature relation at the National level in Nigeria. Nigeria's presidential democracy is, no doubt, imbued with necessary frameworks to facilitate a workable relation between the different arms of government. However, inability to fully explore this and to develop more complimentary frameworks is a key factor in the rising tide of executive legislature conflict. This implies that, the problem is not essentially with the presidential system but with how the constitution is operated. The situation is further compounded by series of factors relating to the peculiar complexities of the Nigerian state. Therefore, while not foreclosing prospect of executive legislature harmony, a viable path towards improving relations between the two arms lies in attitudinal reorientation and establishment as well as strengthening of existing institutional mechanisms for aggregating and reconciling differences.

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