

## **Executive-Legislative Relations in Nigeria's Fourth Republic: Ondo and Ekiti States in Comparative Perspective**

**Celestine O. Jombo, PhD**

Department of Political Science & Public Administration, Adekunle Ajasin University, Akungba Akoko, Nigeria.  
Email: [greatcelexo@yahoo.com](mailto:greatcelexo@yahoo.com); [celestine.jombo@aaua.edu.ng](mailto:celestine.jombo@aaua.edu.ng)

### **Abstract**

This paper examines the nature of executive-legislative relations in Ondo and Ekiti states in the Fourth Republic. It interrogates the incessant antagonisms and confrontations between the legislative and executive arms of government in the two states within the ambit of the socio-cultural milieu and institutional contexts peculiar to them. Using a combination of analytical and descriptive methods, the paper draws data from both primary and secondary sources and relies on historical approach and system theory as frameworks of analysis to establish the peculiarities of the elites' behaviour in the exercise of power as the major factor responsible for the varied experiences of the two states in executive-legislative relations. The findings show that the particularistic nature of the governing elites and the varying roles and degrees of intervention by political parties were major determinants of the intensity of the executive-legislative conflicts in the two states. The paper recommends the adoption of a cooperative approach and dialogue through judicial means as a way of settling disputes between the two arms of government especially when negotiation fails.

**Keywords:** Conflicts, Dialogue, Democratic Stability, Executive-legislative Relations, Presidentialism and Separation of Powers.

### **Introduction**

Nigeria's return to presidential democracy in May 1999, after a prolonged military dictatorship, led to the emergence of legislative institutions at the federal, state and local levels of government as enshrined in the 1999 Constitution of the federal Republic of Nigeria. The constitution makes provisions for both federal and presidential principles in defining the nature and processes of government. The nation's presidential democracy operates based on shared decision-making by the executive, legislative and judicial arms of government. For example, section 5(1a-b) of the 1999 Constitution, as amended vests the executive powers of the federation on the president while section 4(1-5) stipulates the powers of the National Assembly, i.e. the central legislature. In similar version, section 5(2a-b) specifies the powers of a state governor, i.e., the head of the executive branch at the component unit while section 4(6-7) expresses the powers given to the house of assembly of a state, i.e., the legislature at the component level.

Since presidentialism requires, for its efficiency, a differentiation of governmental functions and separation of agencies which exercise governmental powers, the drafters of the 1999 Constitution enshrined the principle of separation of powers among the three organs of government as a cardinal feature for the operation of constitutional democracy in Nigeria (Obidimma & Obidimma, 2015; Ogundiya, 2010; Nwabueze, 1982).

However, conflicts, confrontations, feuds, and deadlocks, especially between the executive and legislative arms of government have characterised the operation of the constitution (Oyewo, 2007; Aiyede, 2005). These conflicts are, most often, based on the question of the existence, scope, and efficacy of the legislature's independence and oversight function in the constitutional scheme. One of the morbid manifestations of this deep and unsettled malaise in the country's democratic order is the gladiatorial contest between the executive and the legislative arms of government (Bassey, 2006). Since the commencement of the fourth republic in 1999, the battle lines between the executive and the legislature both at the federal and state levels have been drawn over issues of appointment, appropriation and oversight functions of the legislature (Oyewo, 2007). Over the years, the country has been unable to witness the needed and expected cordial relations between these two arms of government, even in cases where a political party in government simultaneously enjoys dominance in the parliament (Aiyede, 2005).

Under the 1999 Constitution, the executive, symbolized by the president, state governors and the local government chairmen, is responsible for the administration of public policy, including the execution of the laws (Section 5(1-2), Constitution of the federal Republic of Nigeria, 1999). Sections 4, 88, 89, 128 and 129 of the same constitution vests the legislature with the powers to vet and monitor the implementation of policies and programmes of the government, as well as advise, consult and liaise with the executive in the course of carrying out these functions. It, therefore, follows that stable and smooth administration of the country depends on the co-operation between the legislature and the executive. This is the more reason why the legislators, as the elected representatives of the people, often utilize the various measures guaranteed by the constitution to make the executive accountable. More often, this oversight role of the legislature over executive activities generates friction, bickering, and, sometimes, unhealthy competition between the two arms of government (Fatile & Adejuwon, 2016; Fashagba, 2012; Lawan, 2010).

Aiyede (2005) contends that managing executive-legislative relations has become one of the most problematic issues of Nigeria's presidential democracy since 1999. At the national and state levels, the escalating contest has found manifest expression in the differences between the executive and the legislative arms over a number of issues ranging from executive bills and legislative oversight function, to matters relating to budget financing and appropriation. This development has grave consequences for the smooth running of government and overall democratic stability of the nation.

The two Southwestern states of Ondo and Ekiti are purposively selected for comparison given the fact that they are two contiguous neighbours, sharing almost the same historical antecedents bothering on socio-cultural affinity, politics and democratic credentials. The present Southwestern geo-political zone of Nigeria emanated from the defunct Western region and is peopled by the second largest ethnic group in Nigeria- the Yorubas. The state creation exercise by successive military administrations led to the division of the region into six states – Ekiti, Lagos, Ogun, Ondo, Osun, and Oyo – over the course of Nigeria's political journey since independence.

Ekiti state was carved out of the old Ondo state in October 1996 but the two states came under the control of the same political party, the Alliance for Democracy (AD) following the return of civil rule in 1999. In similar pattern, the two still came under a single party, the Peoples Democratic Party (PDP) after the 2003 general election in the country (Okpeh, 2014; Anifowose, 2004). These shared experiences, notwithstanding, executive-legislative relations in Ekiti State have been more adversarial than the scenario in Ondo State.

These developments, to some observers, are transients and normal in the process of democratic consolidation in Nigeria (Ogundiya, 2010; Ojo, 2008; Bassey, 2006; Aiyede, 2005; Cheibub & Limongi, 2002). Nonetheless, the causes of executive-legislative harmony or disharmony and its effects on democratic stability and governance in the two states are the central focus of this paper.

The paper has six sections. Section one, which comprises the foregoing introduction, is followed by conceptual review and a theorisation of the salient issues relating to executive-legislative relationships in Nigeria's presidential system. Section 3 historicises the major happenings in the development of executive-legislative relations in Ondo State starting from the Second republic when Nigeria first adopted presidentialism as a system of government modeled on the USA example while section 4 highlights the trends of executive-legislative antagonism in Ekiti State. The fifth section interrogates the varied experiences of the two states in executive-legislative relations within the ambits of the socio-cultural milieu and institutional contexts peculiar to them. In the sixth section, the paper concludes with the reflections on the measures and prospects of instituting executive-legislative accord and harmony in Nigeria's presidential system through the instrumentality of dialogue through judicial interventions.

### **Conceptual Review and Theoretical Considerations**

This section is devoted to review of major concepts and consideration of the frameworks of analysis adopted for the paper. These include: Executive, Legislature, Executive-legislative relations; System Analysis and Historical Approach.

**Executive:** The executive is that branch of a country's governmental structure, which applies the authoritative rules and policies of a society. It is the branch of government responsible for decision-making and implementation of the authorised legislation and rules. Ojo (1998) describes the executive as the branch of government, which executes the will of the people as enacted in the laws. The executive arm of government gives effect to the will of the state by executing the laws such as the constitutions, statutes, decrees, treaties, and other legal instruments pertaining to the state. The executive branch has a unique role of providing visibility for the actions (or inactions) of government and galvanizing limited societal resources for its realization. In practice, in a presidential system, the head of the executive is vested with the executive power, assisted by subordinate departments and ministries that are responsible to him.

**Legislature:** The legislature is a fundamental component of democratic government. Invariably, the need for legislatures, also known as the parliaments or people's assembly, is reflected in the very meaning of democracy, 'rule by the people'. For the people to rule, they required a mechanism to represent their wishes, make or influence policies in their favour and oversee the implementation of those policies. More often, a legislature reflects in its ranks a broad spectrum of a nation's political opinion, and as such is the principal forum for debate on vital issues of national importance. Saiegh (2005) has averred that a legislature could serve as a demonstration of pluralism, and the need to tolerate diversity and dissent. It can also serve as a platform for compromise and consensus building. In the modern state, a legislature consisting of the elected representatives of the people, according to Laski (1992, p. 29), has become a vital part of the machinery of government because 'they serve their constituencies in various ways such as ombudsmen or intermediaries between the government and the governed'.

**Executive-Legislative Relations:** Modern democracies operate on the basis of shared decision-making powers, among the three principal branches of the government: the executive, legislative and the judiciary. Generally, the drafters of the constitution usually make statutory provisions to

formalize the structures of these interactions. The interaction or interface between the two organs of government is described as executive-legislative relations. For the purpose of this paper, executive-legislative relations are examined primarily in the context of Nigeria's presidential system with specific reference to Ondo and Ekiti States.

### **Frameworks of Analysis**

A combination of historical approach and system theory is deployed as frameworks of analysis to explore the salient issues relating to executive-legislative relations. The historical model allows the examination and analysis of present reality or recurrent political phenomenon based on the dialectics or antecedents of the past (Dhawan, 2016). It connects the present and the past political phenomenon in a way that provides insights into and understanding of the complex issue of politics. The historical approach to politics seeks to explain political phenomenon by giving reference to certain facts of history (Varma, 2004). This framework of analysis is particularly useful for the understanding of the nature of executive-legislative relations, incorporating past events.

The system approach, on the other hand, is primarily concerned with the analysis of the roles and performance of the actors within a particular system. A system is a set of interdependent parts or components of a given entity (Nwankwo, 1999). As a process, it involves interdependent relationships among different actors performing functions for a common objective. It entails interaction with the environment. As David Easton, the exponent of the system approach notes, 'the political system interacts with the environment in term of a process that involves input and output mechanisms' (Easton, 1965, p.27).

From the system perspective, the legislature, the executive, and the judiciary, are persistent entities functioning in an interdependent relationship for the purpose of the state. They are the interdependent elements for the functioning of a presidential system with identifiable boundaries and functions within the political environment. Each of the three arms of government has distinguishable boundaries setting them off from the environment. Each has a tendency towards a state of equilibrium (Awotokun, 1992; Parsons, 1968).

Executive-legislative relations connote a systemic interaction between the legislature and the executive, guided by rules. Moreover, these rules derive their importance within the functional expectations of the system for the achievement of the goals of the state. The inputs from the environment, fed into the legislative process provide the direction or executive actions through the mobilization of the available resources to execute the decisions thereof (Awotokun, 1992; Diamond, 1988).

### **Ondo State Harmonious Experience in Executive-legislative Relations**

The period between 1979 and 1983, Nigeria's Second Republic, operated an adaptive variant of American model of presidential system. The old Ondo State, currently consisting of Ondo and Ekiti States, under the administration of Late Chief Adekunle Ajasin, inaugurated its first legislative assembly in October 1979. The Unity Party of Nigeria (UPN), led by Chief Obafemi Awolowo, controlled both the executive and the legislative arms of government in the state. The party, known for its cohesiveness, organization and strong leadership played influential roles in ensuring harmonious relations between the two arms of government (Akinsanya & Davies, 2002). This is not to say that there were not a few instances of friction between the executive and the legislature. For instance, Governor Ajasin, was, at one time, threatened with impeachment

proceedings by the State House of Assembly on allegation of non-remittal of funds due to the assembly but the impasse was promptly resolved by party leadership (Omotola, 2006; Akinsanya & Davies, 2002).

On the whole, a review of executive-legislative relations over that period revealed cooperative approach dictated by the predominance of one party in both arms and the effectiveness and cohesiveness of the ruling party in conflict resolution between the two organs of government (Davies, 2004).

The second legislative assembly was inaugurated following the swearing in of Chief Ajasin for a second term in office as Governor of Ondo State. However, the legislature was barely settling down when the military struck again on December 31, 1983 to dislodge the civilian administration thereby throwing the country into another round of military dictatorship (Agedah, 1993).

During the period of General Babangida inconclusive political transition, the Social Democratic Party (SDP) led by Governor Bamidele Olumiluwa controlled the legislative and the executive arms of the government in Ondo State. However, the legislature could hardly make any appreciable impact on governance due to the precarious situation it found itself. This was because, the military-led Federal Government had erroneously shielded the state governors from legislative scrutiny through Decree 50, tagged the State Government “Basic Constitutional and Transitional Provisions”. Through this decree, oversight functions of the legislature were circumvented and vital issues of legislative competence were regarded as ‘no-go-areas’ (Awotokun, 1998).

However, with the return of the country to civil rule in 1999, and the emergence of Adebayo Adefarati as Governor under the platform of defunct Alliance for Democracy (AD), the stage was set, once again, to inaugurate the fourth legislative assembly in Ondo State. Nevertheless, this assembly differed remarkably. This was because in 1996, the military government had created Ekiti State out of the old Ondo State. Thus, the size of the state legislature was smaller than that of the Second republic. The 51-member legislative assembly of the Second republic had only 26 members in the present republic. Efforts are now made to assess the relatively harmonious experience of Ondo State in executive-legislative relationships under successive administrations since 1999.

### **Executive-Legislative Relations under the Adefarati Administration (1999-2003)**

The general election of 1999 led to the emergence of Adebayo Adefarati and Afolabi Iyantán, as the Governor and the Deputy Governor of Ondo State, respectively, under the platform of Alliance for Democracy (AD). The fourth legislative assembly was inaugurated on May 31, 1999 with the AD securing 24 out of the 26 seats assembly. The remaining 2 seats were won by the Peoples Democratic Party (PDP).

The relationships between the executive and legislative arms under the Adefarati administration were relatively peaceful and harmonious. The governor and the leadership of the ruling party, AD, were able to resolve any disagreement through the machinery of the political party. Executive-legislative politics during the period was largely dictated by the prominent role played by the Afenifere socio-cultural and political group serving as the stabilizing force for the AD, the ruling party in the state. The peaceful and unassuming posture of the state governor, Adebayo Adefarati who many regarded as a fatherly figure in the politics of the state, also contributed to the subsisted executive-legislative harmony. A respondent who was a senior member of the administration maintained that ‘the peaceful disposition of the governor as well as the active role of Afenifere

leaders was responsible for the executive-legislative accord under Adefarati' (Personal Interview, February 20, 2018).

A party chieftain in the state conceded that the harmonious relations between the executive and the legislature experienced during period was partly because of the active role of the hierarchy of the AD and the prompt approval and release of funds due to the legislative assembly. According to him, 'the legislature was easily persuaded to accept and support the policies and programmes of the governor because their financial demands and welfare package were being promptly approved and released as at when due' (Personal Interview, April 10, 2018).

### **Era of Deliberate Alliance under the Agagu Regime (2003-2009)**

The 2003 general election enthroned the administration of Dr Olusegun Agagu of the Peoples Democratic Party (PDP) in Ondo State. The party also won all the 26 seats in the state House of Assembly. Subsequently, the inauguration of the state's fifth legislative assembly on the June 6, 2003 ensured the PDP took firm control of government in the state.

Executive-legislative relations under the administration of Dr Olusegun Agagu were conducted with the ambience of maturity and understanding between the two arms of government. Even though there were few skirmishes, the hierarchy of the ruling party in the state wielded a strong influence on its members in the House of Assembly, which ensured a measure of moderation and stability in the executive-legislative relationships (Anifowose, 2004).

A member of the Ondo State House of Assembly between 2003 and 2007 revealed to me in an interview that the harmonious relations witnessed between the legislators and the Governor was the outcome of the cordial relationships between the presiding officers of the legislature and the state PDP leadership led by Ali Olanusi. The Governor's liaison officer to the assembly under the Agagu administration corroborated that submission (Personal Interview, March 16, 2018).

Executive-legislative relations in the state, during the period under review, derived its peculiar nature and characteristic from the manner and approach employed by both the executive and the legislature. One of these was noted in the area of fund appropriation. This is particularly noteworthy, given the fact that this is one thorny issue that provoked, often, conflicts and acrimony between the executive and the legislature in other states, and, most especially, at the federal level. A former bureaucrat at the legislature disclosed that "behind the scene" mechanism adopted by the legislators, and the members of the executive facilitated the conflict-free appropriation regimes in the state. The bureaucrat told me that the executive usually takes the legislature, through its leadership, to confidence, before the official submission of Appropriation Bill, containing the budget proposals, to the House of Assembly. 'It was done to address any area of differences in the appropriation bill before it is taken to the public domain' (Personal Interview, April 15, 2018).

Nevertheless, this is not to say that there were no areas of strains in the relation between the executive and the legislature during that period. A major test of confidence between the two arms of government occurred in October 2005, when a faction of the House, led by Felix Okereji, revolted against the leadership of the House of Assembly under the speakership of Victor Olabimtan. The group alleged that members of the legislature had lost confidence in the ability of the speaker to continue to serve as the presiding officer. They further alleged that the speaker encouraged the subordination of the legislative house to the executive branch of government. Consequently, the members removed the speaker and replaced him with another member, Oluwasegunota Bolarinwa.

In spite of the change in leadership of the House of Assembly, the existing harmonious relationships between the legislature and the executive remained cordial. They also retained the confidence-building mechanisms, earlier embraced by the House in relation to the executive, until the expiration of the term of the fifth legislative assembly. Thus, the period between 2003 and 2009 in the state, was an era of deliberate alliance forging and confidence building rather than confrontation and mutual suspicion that often characterized the relationships between the two arms of government in other states.

### **Executive-Legislative Politics under the Mimiko Government (2009-2017)**

In February 2009, the Agagu administration ended abruptly when the Court of Appeal nullified his re-election and declared Olusegun Mimiko, the candidate of the Labour Party (LP), as the validly elected governor of Ondo state. Mimiko was sworn in on February 24, 2009 but inherited a PDP-dominated House of Assembly. The twenty-six-member assembly consisted of one member of the AD, nine LP members and sixteen members of the PDP.

Nevertheless, over a short period, the only AD member and eight PDP members in the assembly defected to the ruling Labour Party. Consequently, ruling LP gained control of the assembly with 18 the majority seats in the legislature while the PDP membership strength dropped to 8 seats. There was no incident of disagreement or confrontation between the two arms of government during the legislative period of the sixth assembly in Ondo State. Observers have attributed this development to the governor's foresight and political dexterity in managing the interface between the executive and the legislature in the state (Odunlami, 2015).

### **The Trends of Executive-Legislative Antagonism in Ekiti State**

In response to the agitations for a separate state, the former Ekiti Province was carved out of old Ondo State on October 1, 1996 as a separate state (Akinsanya & Davies, 2002; Anifowose, 2004). The new state has 16 local governments and its first elected government was inaugurated on May 29, 1999. Since then, the state had been governed by not less than four successive administrations.

### **The State Experience under the Niyi Adebayo Administration (1999-2003)**

Following the return of the country to democratic rule in May 1999, Adeniyi Adebayo was elected, on the platform of the Alliance for Democracy (AD), as the first civilian governor of Ekiti State. The inauguration of the state first legislative assembly took place on June 1, 1999. The assembly speaker, Kola Adefemi, and, his Deputy, Opeyemi Ajayi, were from the same political party with the governor.

Thus, the executive and the legislature under the new democratic era were under the firm control of the same political party, the AD. There were relative stability and understanding in the relationships between the executive and legislative arms. The strength of the ruling party and the pivotal role played by Afenifere, the Yoruba socio-political group, facilitated the cordial relationships between the two organs of government (Personal Interview, May 6, 2018).

Throughout the administration of Governor Niyi Adebayo in Ekiti, the state experienced sustained accord and harmony in executive-legislative relationships (Akinbobola, 2005). The harmonious relations between the executive and the legislature over the period were attributed to the disposition of the governor who consistently approved and released all funds requested by the State House of Assembly at regular intervals (Aliyu, 2010).

### **Executive-Legislative Relations under the Fayose Administration (2003-2007)**

In the 2003 election, the opposition party, the PDP won the gubernatorial election in the Ekiti State. Ayodele Fayose was elected under the PDP platform and was sworn-in as Governor on May 29, 2003. The AD also lost the gubernatorial elections in other South-West States, with the exception of Lagos.

The PDP firmly took control of both the executive and the legislative arm of government in the state following the inauguration of the second legislative assembly on June 2, 2003. Executive-legislative relations under the Fayose administration commenced on a stable note, predicated on the existing understanding between the governor and the leadership of the legislature. The Governor won the confidence of the legislature through prompt release of funds due to the assembly (Aliyu, 2010).

At the onset of the administration, the speaker of the House of Assembly, Patrick Ajigbolamu, was lodging at the Government House while his official residence was under renovation (Oyebode, 2006). The leadership of the two arms of government had good working relationships. Notwithstanding the dilapidated infrastructure inherited by the legislature, members of the legislature continued to cooperate with the executive for the smooth running of the affairs of the state. A former majority leader of the Assembly attested to this, when he stated that 'executive-legislative cooperation and accord was the order of the day when the House came on board; no rancour, no disagreement, but understanding and cooperation' (Personal Interview, April 20, 2018).

A former chairman of the PDP in the state shared the same sentiment. According to him, the party hierarchy in the state was aware and indeed was very pleased with the harmonious working relationships that existed between the executive and the legislature at the commencement of Fayose administration in May 2003. He, however, conceded that 'the same party structure was put under pressure when things began to change' (Personal Interview, April 20, 2018). The respondents agreed that there was no strain in the executive-legislative relationships in the state in spite of the confrontational approach of the governor, who arrogated all available powers in the state to himself becoming like a *de facto* chief executive. However, the political events of the state took a new turn following the fallout between Governor Fayose and former President Olusegun Obasanjo.

Governor Fayose had prior to their disagreements, been a close ally and political confidant of the president. Fayose as the Chairman of the Nigeria Governors Forum had always championed the interest of Obasanjo and his government. However, the fallout between the two leaders led to a swift turn of event in the politics of Ekiti State and altered the sustained confidence and harmony that characterised executive-legislative relationships (Fagbadebo, 2016; Aliyu, 2010).

The complicity of the former president in deploying the EFCC, the nation's foremost anti-graft agency to bully or fight his perceived political enemies manifested largely in the use of state legislatures to remove state governors believed to be opposed to his government. For instance, since the return to democratic rule in 1999, the nation recorded the highest cases of impeachment under the Obasanjo regime (Fagbadebo, 2016; Lawan, 2010).

The pressure mounted on the state lawmakers led to the commencement of impeachment proceedings against the Governor on September 29, 2006 and the state legislature eventually impeached the governor and his deputy on October 17, 2006 (Aliyu, 2010).



### **Executive-Legislative Relations in the Post-Impeachment Era in Ekiti State (2007-2018)**

Mr Segun Oni of the Peoples Democratic Party (PDP) assumed the governorship seat of Ekiti State on May 29, 2007 following his victory at the 2007 gubernatorial election in the state. However, the 26-member State House of Assembly inaugurated on June 6, 2007 had its membership evenly split between the PDP and the opposition party, the Action Congress of Nigeria (ACN). The two political parties had 13-members each in the legislature, but the PDP used its influence as the ruling party in the state to produce both the speaker and deputy speaker of the assembly. This development generated heated controversy and bickering between the PDP and opposition lawmakers in the state.

Thus, the immediate challenge of the Oni-led administration in the state was how to resolve the bickering and leadership crisis in the state legislature. This was because, apart from the speaker and the deputy speaker's posts, the PDP also produced all other presiding officers of the assembly. An action the ACN lawmakers, who were equally 13 in number, vehemently resisted. This development created serious divisions and contentions in the state legislature and paralyzed the activities of the House of Assembly.

This regime of bickering and polarisation among members of the assembly along party lines continued until August 2007 when some respected traditional rulers and opinion leaders in the state intervened in the leadership crisis that have rocked the assembly since inauguration. Following this intervention, the PDP lawmakers ceded the deputy speakership seat to the opposition lawmaker, Saliu Adeoti but retained the speakership of the House (Jombo, 2019; Aliyu, 2010). Eventually, the lawmakers agreed to do away with the position of majority and minority leaders and chose two leaders from both parties. At the end, these measures appeared to have served as permanent solution to the internal wrangling in the legislature as members from then onward continued to work together and in accord with executive branch. As attested to by a former lawmaker in state, this inter-branch accord was sustained up till the ouster of Segun Oni by the Appeal Court judgment (Personal Interview, April 20, 2018).

Kayode Fayemi of the Action Congress of Nigeria (ACN) assumed duty as Governor on October 16, 2010 and continued to enjoy harmonious working relationship with the legislature until the legislative session of the third assembly ended on June 5, 2011. However, Ekiti State fourth assembly with a new set of lawmakers was inaugurated on June 6, 2011 following the conduct of parliamentary election in the state while Fayemi continued to serve as governor, having just been sworn-in in October for his four-year tenure.

Nonetheless, the ruling party in the state, the ACN, controlled an overriding majority in the assembly having secured 25 out of the 26-member legislature. Executive-legislative relations under the Fayemi administration sailed smoothly with no recorded impasse or serious disagreement between the branches of government over the period. A respondent attributed this to the 'mutual understanding that existed between Governor Fayemi and the state lawmakers over policy and appropriation-related matters' (Personal Interview, April 22, 2018). Fayemi completed his four-year tenure in October 2014 but lost re-election bid to Ayodele Fayose, the governorship candidate of the PDP in the state. Fayose was sworn-in as Ekiti State Governor for the second time on October 16, 2014. Although two successive administrations of Governors Segun Oni (2007-2010) and Kayode Fayemi (2010-2014) under two different political parties have since served in the state, there was no recorded impasse that was at least known in the public domain, between the executive and legislative arms. Nonetheless, Fayose's personality trait and confrontational

approach to governance came to the fore as the history of adversarial executive-legislative relations yet again resurfaced in his second term.

### **Interrogating the varied Experiences of the Two States in Executive-legislative Relationships**

In Ondo state, under the administrations of Adebayo Adefarati and Olusegun Agagu, dialogue, consensus-building and inter-branch consultation characterised executive-legislative relations. The period between 1999 and 2009, was an era of deliberate alliance forging and confidence building, between the legislature and the executive, rather than confrontation and mutual suspicion. Governor Adefarati and majority members of the legislature during his tenure were from the AD, the same scenario went for the Agagu-led PDP administration.

A former chairman of the PDP in the state, Tayo Dairo, explained that the stability enjoyed during the era was attributable to the conscious efforts made by party leadership and the sacrifice made by the governors to continually carry the legislature along in the allocation of public goods and services in the state (Personal Interview, May 2018). The interaction between the two arms of government in the processing of the fiscal policy attested to this effective harmony in the executive-legislative relations. Throughout the period, the state did not witness any inter-branch crisis over the passage of appropriation bills. This political feat was attributable to the role of the leadership of the ruling party as well as its caucus in the legislature.

A former clerk of the Ondo State House of Assembly, Ezekiel Akeredolu, explains the strategy thus: 'there was this practice at that period that before any official submission of budget proposals to the House of Assembly, the legislature through its leadership, must have been taken into confidence by the executive' (Personal Interview, May 2018). This pre-budget consultation was the avenue to address area of differences in the appropriation bill before the governor presented it to the legislature for deliberation.

This showed that the stakeholders in Ondo State under the administrations of Adebayo Adefarati and Olusegun Agagu knew the importance of harmonious executive-legislative relations for a stable and sustainable policy process in a governing system characterised by separated but shared powers. Aminu (2006, p.12) contends that

Executive-legislative harmony (or disharmony) does not exist in a vacuum. It is often a by-product of the actions and inactions of the individuals involved; as well as some other qualities such as character strength, political maturity and institutional competence of relevant actors in the executive-legislative game.

All through the period, the party hierarchy and the other stakeholders in Ondo State were given the necessary leeway to carry out mediatory and conciliatory roles in stabilizing harmonious working relations among the various sectors of governance. A former deputy minority leader of the Ondo State House of Assembly revealed that conflicts often arose over the period but for the 'quick intervention of party leadership' (Personal Interview, May 2018).

From the foregoing, it is evident that the real issue in executive-legislative relations is not the elimination of conflicts but the development of conflict management or reduction mechanism. This is capable of mitigating political conflicts or disagreements between the two arms of government. The efficacy of this was evident in the incident that occurred in 2005 in the Ondo State House of Assembly when the lawmakers removed the speaker, Victor Olabintan, and replaced him with Oluwasegunota Bolarinwa (Dode, 2010). The lawmakers accused the speaker of excessive romance

with the executive at the detriment of the independence of the legislature. However, following the intervention of the ruling party's leadership, the lawmakers converted the removal to resignation. Moreover, in spite of this change in leadership, the assembly continued to work with the executive in way and manners not quite different from the past. This was attributable to the confidence building mechanism already put in place and continually maintained by the actors involved in the executive-legislative game.

In Ekiti State, the same scenario of executive-legislative accord was witnessed during the Niyi Adebayo, Segun Oni and Kayode Fayemi administrations. The only notable difference was the Fayose administration, where executive dominance and abrasive approach to inter-branch issues characterised executive-legislative politics. During Fayose first term in office as Governor of Ekiti State, he ascribed all influence and power to himself with little or no regard to the legislature (Oyebode, 2006). One other peculiar thing about the case of Ekiti, under Governor Ayodele Fayose, was the influence other relevant stakeholders such as the traditional rulers, opinion leaders, and the presidency exerted on executive-legislative relations, which brought to the fore the assertion earlier made by Oyewo (2007, p.136) that

a more embracing view of legislative-executive relations will involve a consideration of the acrimonious or crisis-ridden relations of the two arms within the much broader context of social, economic, political and cultural milieu wherein the two institutions operate.

In the wake of the impeachment crises in Ekiti in 2006, it became evident that executive-legislative impasse could not be isolated from the demands of the socio-political environment. The governor claimed that the pressure from the other stakeholders, such as the presidency, the traditional rulers, opinion leaders, and even a segment of the enlightened and articulate public influenced the hostile attitude of the lawmakers against him.

However, Oyetayo (2006, p.16) notes that these stakeholders embraced and accepted the interference of forces external to the state in the removal of the governor when they could no longer condone the 'impeccably garrulous and unrepentantly confrontational approach of Fayose to governance'. A former state chairman of the defunct Alliance for Democracy (AD) in Ekiti argued that they supported Fayose's removal because 'he had destroyed the moral reputation and vision of Ekiti people' (Personal Interview, May 2018).

It appears Ayodele Fayose must have realized the interplay of these factors in his second coming as governor when he inherited the opposition All Progressive Congress (APC) dominated legislative assembly in 2014. Immediately he began to have issues with the assembly, he warmed himself into the heart of Ekiti people, including the traditional rulers, opinion leaders, and, most especially, the masses comprising the civil servants, artisans and the peasantry. The governor, in his usual characteristic manner, unknown to constitutional practice, backed a 7-member PDP led House of Assembly to sack the 19 All Progressive Congress members from the legislative assembly including removal of the speaker, Adewale Omirin, and the other principal officers of the legislature. The development threw the state into another round of apprehension, uncertainty, and perpetual anxiety (Jombo, 2019). Subsequently, the 19 members of the opposition party, the APC, issued an impeachment notice to remove the governor (Fatile & Adejuwon, 2016). Consequently, the entire state was in perpetual turmoil while it lasted even as governance was grounded to a halt because of the cat and mouse game of the Governor and the APC lawmakers.

The Governor resorted to self-help at the tail-end of the legislative assembly session by mobilizing motorcycle riders, hired political thugs and members of transport workers' union to block all entry routes into Ekiti on so many occasions (Sahara Reporter, June 4, 2015). This was apparently to prevent the 19 APC lawmakers from gaining entrance into state to carry out their purported impeachment plot; having being bullied out of state by the governor. Fortunately, all of these disappeared when the tenure of the fourth legislative assembly ended on June 3, 2015.

Incidentally, this development was in sharp contrast to the experience in Ondo State when Olusegun Mimiko of the then Labour Party assumed office as Governor and in similar vein, inherited a PDP-dominated House of Assembly. The way and manner by which the governor transformed the PDP- dominated assembly into one where his Labour Party had overwhelming majority within a short time would best be described as politics at play (Aliyu, 2010). Moreso, there was no time during that period where any disagreement or confrontation between the two arms of government was noticed in the public domain.

The implication of these developments is that incessant acrimony between the two organs of government has serious consequences for political stability of any state. Ondo State was found to have enjoyed a relatively stable political environment partly because of the harmonious and cooperative approach to governance imbibed by both the executive and legislature in the discharge of their constitutionally assigned duties and functions. Similar approach was noticed in Ekiti under the Fayemi and Oni administrations. For instance, in 2007, the fallout of the split of membership of the state legislative assembly into equal half between two rival political parties and the attendant crisis it generated was resolved by conscious and concerted efforts made by relevant stakeholders in the state. The situation was largely in sharp contrast to the experience of the state under Fayose during the period under review. Nothing could have been worse than the uncertainty and anxiety that engulfed its political landscape in the aftermath of the crisis that trailed the impeachment of the governor and his deputy in 2006 which spurred the declaration of state of emergency by the Federal Government.

## **Conclusion**

Overall, the basic fact thrown up by all these revelations is that government is a collective business and not a one-man soap opera. There is the need to nurture and allow governance structures to perform their constitutionally assigned functions. Under the extant principles of presidentialism, the three arms of government; the legislature, executive, and judiciary are given constitutionally recognised roles to play for the effective functioning of the system. Moreso, the stabilising roles of some recognised institutions in the society such as traditional institutions, civil society organisations, enlightened segment of public and other relevant groups cannot be set aside in shaping the political outcomes of formal institutions of governance. Thus, the pluralist tenets of democratic dispensation such as tolerance, consensus building, conciliation, and dialogue should be allowed and nurtured. Executive-legislative relation is a slow, steady but continuous learning process of deepening democratic values.

## **Recommendations**

In a presidential system such as Nigeria, eliminating friction between the executive and the legislature is somewhat difficult, if not completely impossible, because there is always a potential for it. For this reason, the executive needs to accept that the constitution provides for the legislature and assigned responsibility to it. In order to stop tyranny and other undemocratic tendencies, the

delays often occasioned by legislative processes are considered as essential to the plurality and diffusion of power, expressing clearly the doctrine of separation of powers. The two institutions of the state may sometimes disagree to agree for the good and stability of the system. Nevertheless, confrontations between the two organs of government should not necessarily lead to acrimony when both sides imbibe a high sense of maturity and patriotism for the overall stability of the entire body politic.

Considering the analysis and findings of this paper, it is strongly recommended that both the legislature and the executive should endeavour to resolve grievances and disputes at primary level such as viable and functional inter-branch liaison offices before they magnify into serious political crisis. There is the need to strengthen party structure and machinery to accord them more relevance and influence in mediating between the legislative and executive arms in the periods of conflict. Closely related to this is the need to confer relevant stakeholders such as traditional institutions with more active roles to play in the formal structure of governance. This would, in no small measure, offer them greater influence and authority in mediating between organs of government in the periods of acrimony. Ultimately, the leadership of the two organs should embrace cooperative approach and dialogue through judicial means as a way of settling disputes between them especially when negotiation fails.

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