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A Governing Party in Disarray: Executive-Legislative Relations under APC Government

Isa Ishaq Ojibara

Abstract- The victory of APC at the 2015 general elections was the first time since 1999 any other political parties would have control of the federal government. What is more, the victory was total, controlling the executive with the presidency as it power base and having the majority in both chambers of the national assembly- the senate and house of representative all at the same time. Not long after the inauguration of the APC government, there appears a crack that revealed the party lacks cohesion and after all not all members are in the same page with the agenda and programmes of the party and President Muhammadu Buhari. Given the process through which the APC emerged, not many believed the party would pull through to victory in 2015; hence the lack of policy cohesion between the executive and legislature is not surprising. The internal intrigues, differences and rancour that characterized the emergence of principal leadership of the Senate and House of Representatives planted the first seed of confrontation between the party, executive and the legislature.

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I. Introduction

The 2015 Nigeria general elections threw up an unexpected outcome, the triumph of All Progressive Congress at the federal and the control of substantial number of sub-national states. A new political party formed majorly by political alignment among regional parties in 2013 wrestled power from the then ruling Peoples' Democratic Party which had governed the country for 16 years since the return to democratic government. The victory of APC at the 2015 general elections was the first time since 1999 any other political parties would have control of the federal government. What is more, the victory was total, control of the executive with the presidency as it power base and having the majority in both chambers of the national assembly- the senate and house of representative all at the same time.

The All Progressive Congress hinged its campaign on three major themes- the fight against corruption, defeat of boko haram and economic diversification. The party presented General Muhammadu Buhari (as he then was) as the presidential candidate, his victory at the 2015 presidential poll, after three previous failed attempts- 2003, 2007 and 2011, was possible by the campaign strategy adopted, his personal integrity, anti- corruption stand as a former military ruler in 1983 to 1985 and the new political alignment among sectional political parties. The landslide victory of the party was attributed to the personal approval, goodwill and overwhelming support Muhammadu Buhari enjoyed among majority of Nigerians.

With the APC having majority in both chambers of National Assembly, many believe it should accelerate the implementation of the party programmes on the manifesto. Not long after the inauguration of the APC government, there appears a crack that revealed the party lacks cohesion and after all not all members are in the same page with the agenda and programmes of the party and President Muhammadu Buhari. Given the process through which the APC emerged, not many believed the party would pull through to victory in 2015; hence the lack of policy cohesion between the executive and legislature is not surprising.

The internal intrigues, differences and rancour that characterized the emergence of principal leadership of the Senate and House of Representatives planted the first seed of confrontation between the party, executive and the legislature. Even though, the president appeared to be indifferent and was ready to work with whoever emerges, leaders in the party believed the presidency should have influenced the process leading to the emergence of senate president, speaker of representative and other principal officers of the National Assembly for cordial executive-legislative relations.

The emergence of Senator Bukola Saraki and Yakubu Dogara as the senate president and speaker house of representative respectively defeated the party backed candidates; Ahmed Lawan and Femi Gbajabimila from Lagos State. The emergence of Ike Ekeremadu, PDP Enugu state as Deputy Senate President in APC majority senate was a major blow to the party and laid the foundation for a hostile and confrontational relationship between the presidency and the National Assembly.

II. Political Party and Executive-Legislative Relations in Presidential System: A Theoretical Insight

Political party is one of the most important, complex and critical institutions of democracy. Political parties, as "makers" of democracy, have been so romanticized that scholars have claimed that neither democracy nor democratic societies are thinkable

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without them (Omotola, 2009:612). {T}heir functions are not limited to government related, such as making government accountable and exercising control over government administration; and electorate related functions such as political representation, expression of people's demand through interest articulation and aggregation as well as structuring of electoral choices; but also expand to linkage related functions, playing an intermediary and mediatory role between the government and the electorate (Omotola, 2009:612, Moore, 2002). The role of political party in executive-legislative relations has been less investigated.

It is important to note that at the very heart of the success or otherwise of political party is the issue of Political ideology. It has been so central to the activities of political parties across time and space. Morse (1896:76) has argued that ideology, being the durable convictions held in common by party members in respect to the most desirable form, institutions, spirit and course of action of the state, determines the natural attitude of a party towards every public question. However, as (van de Walle, 2007:62) notes, ideological differences have been minor across parties in African, debates about specific issues have been virtually non-existence. Since political parties lack ideological base for political recruitment, hence, personal attachment to a single party is very rear. This absence of ideological or programmatic differences among parties in Africa means there are not well institutionalized that could propel national unity, democratic and economic development and nation building. As (Saliu and Omotola, 2006:2) argue, the level of political institutionalisation of political parties and their institutional strengths are directly correlated to their ability to discharge their ascribed responsibilities, and by extension, the strengths of democracy.

One of the importance of political parties as Aldrich (1995) suggests, parties are formed to resolve collective action problems internal to the legislature. A party-free legislature would be chaotic, unstable and would be unable to extract much from the executive. In order to solve collective action problems external to the legislature they come to regard a collective good, their party's public reputation or "brand name," as critical to their individual success (Cox and McCubbins 1993). Like all public goods, individual politicians have little incentive to invest in the party's collective image; instead, they are under pressure to pursue their own interests, regardless of costs to the party, individual party members thus face a dilemma: whether to pursue their individual interests, or devote resources to the maintenance of the party's provision of public goods ((Cox 1987; Cox and McCubbins 1993).

To guarantee the independent of the divisions of governmental powers and functions among the three arms, the doctrines of "separation of powers" and "checks and balances" became important features of presidentialism. Thus, the 1979 Nigerian constitution combined two political architectures of presidentialism and federalism which are considered to be highly expensive, this was later retained by the 1999 constitution. The Presidential system has its root in the American political system and may be considered as America's contribution to political organisation (Okege, 2002:138). The fusion of power in the parliamentary system places both legislature and executive power in the same hands of few. There have been raging debates about which political system guarantees regime stability. Presidential regimes are considered to be prone to produce institutional deadlocks (Aiyede, 2006:140). According to Linz, presidentialism lacks a built-in mechanism to induce cooperation between the executive and legislative branches of the government (Linz, 1993:108-26). This is because the failure of the government does not affect the legislators' political survival and re-election. There are two fundamental characteristics that differentiate presidential and parliamentary systems, first whether there is separation of origin; secondly, whether they have separation of survival (Samuels and Shugart, 2006:9). If electorates directly elect the members of the legislature and cast a separate ballot to elect the president, there is separation of origin, this is what presidentialism entails. If the voters only directly elect the legislature, and then the legislature elects the executive, then there is unity of origin, because one branch of government originates from within the other, unity of origin characterizes parliamentary system (ibid)

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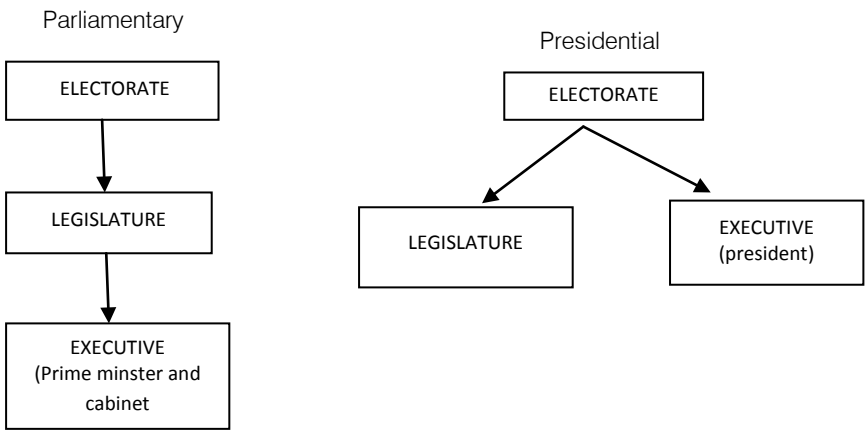

Sources: Samuels and Shugart, 2006:9

Figure 1: Basic hierarchical and transactional forms of executive-legislative relations

Since the president tenure is fixed and cannot call for early election, nor can parliamentarians call for new elections in the hope of ousting the president, if anything, the president can only be constitutional removed through impeachment process. This might generate anxiety in the president as he tries to deliver on his campaign promises within the limited time provided for his/her stay in office. This may lead to ill-conceived policy initiative, overly hasty stabs at implementation, and unwarranted anger at the lawful opposition (Aiyede, 2006:142). Under normal constitutional procedures, both arms of government survive independently of the desires of the other, until the next scheduled election. In contrast, under parliamentarism the survival of the prime minister depends on the continued consent and support of the parliamentary majority that empowered the executive in the first place (ibid). If a parliamentary majority declares "no confidence" in the prime minister and his or her cabinet, the government is dissolved and either a new cabinet is formed or new elections may be called, as in the case of the United Kingdom after the Brexit referendum.

In Nigeria even when both the presidential and National Assembly elections hold concurrently, voters cast three ballots for presidential, senatorial and house of representative elections respectively. When the separation of origin is evidently clear in Nigeria, the separation of survival is difficult to pinpoint for the following reasons. First, the Supreme Court in Nigeria has ruled that political parties contest election and not the candidates, i.e. it is political party that wins or loses elections, most often than not, Nigerians cast ballot for political parties. If at all primaries election were held, only few delegates are involved in the selection process. Second, since political parties are not programmatic, they are highly structure around single or few personalities, most electorates vote for a party en-masse without proper investigating individual candidates on that platform, hence, divided government is rear in Nigeria, especially at the central level, that is why the party that wins the presidential election controls the National Assembly.

Third, presidential election is seen by both political parties and electorates as the "Top Prize" and one with enormous influence on their lives. In most cases, the legislative election is been viewed as insignificant. In a democratic environment where in most cases, the electorates know little or nothing about the candidates for legislative seats, voters ignorantly cast ballots for just any candidate seeking parliamentary seat. Others completely have no interest in the legislative elections, even when the poll holds the same day with presidential election. Because of the enormous power wielded by the president and patronages which the office could distribute to cronies, more attention is given to the presidential poll in disregard for the national assembly polls.

a) Executive-Legislative Relations of APC Government: The Genesis

The journey that eventually culminated to the formation of APC started towards the 2011 election. The attempted political alliance between the south- west regional dominant party, Action Congress of Nigeria and the newly formed political party by Muhammadu Buhari Congress for Progressive Change (CPC) failed to materialize. However, the backers of these parties built on the contact and the process for the merger of the so called "progressive parties and individuals" commenced immediately after the 2011 elections. Gen. Muhammadu Buhari, speaking on the plan merger said:

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For ACN and CPC, it is not an alien issues, it is a continuation of what we started in 2011. Time was against us... This time around, we started early to build on the foundation we have laid in 2011. I assure you that all those who are consistent, that are concerned with this system of solidifying democracy should know that the only solution (to PDP domination) is the merger (Omoniyi, 2013).

Thus, the APC is the merger of the Action Congress of Nigeria, spearheaded by Senator Bola Tinubu, former Lagos state governor. Congress for Progressive Change of Muhammadu Buhari, All Nigeria Peoples' Party, which Buhari had been it presidential candidate twice, 2003 and 2007, the breakaway group of All Progressive Grand Alliance lead by Rochas Okorocha and a group of revolted members of PDP. The All Progressive Congress officially formed on February 6, 2013, is a conglomeration of five political parties with divergent political views. While political parties lack concrete ideologies that direct policy formulation and implementation, the leftist-rightist divide in developed democracies have not taken root in Nigeria. While a resembling of progressive and conservative divide among the politicians exist. No doubt, corruption and impunity are general characteristics of Nigeria politics, as such, no major difference among the political parties.

The successful merger of these regional parties was significant in the Nigeria democratic terrain. First, APC pioneered a successful political merger among regional parties to challenge the national party, thus, APC move forward from the political alliance known in the Nigeria party politics. The past efforts for a broad base national opposition party to challenge the ruling parties had been unsuccessful, at best a political alliance for a joint candidacies were the outcome. Second, APC brought together different politicians with different regional interest and political view. Third, APC is seen by some Nigerians, particularly in the south-south and south-east as a political marriage of North and south west, finally, APC is a means for the south west to get back to federal politics for the very first time after Obasanjo administration.

ACN, the dominant party in south west after the 2011 election controlled 5 states out of the 6 in the region. The party like every other socio-cultural and political organisations in the south west canvassed for devolution of power from the federal government to subordinate levels of government, state police, review of federal character, restructuring or what is generally termed "true federalism". The party can be described as a loose form of welfarist party. The party formed by Bola Tinubu, broke away from Alliance for Democracy (AD), a remnant of the Action Group and Unity Party of Nigeria (UPN) of first and second republics respectively. The Congress for Progressive Change had General Muhammadu Buhari as it backer, championing the campaign for anti-corruption war in Nigeria politics. It had the northern masses i.e. the talakawas as it support base. Aside only the anti-corruption war and wealth redistribution, CPC had no clash of interest with northern agenda which is conservative to national issues. All Nigeria Peoples' Party was dominant in the north. Although, the party was making headways to other part of the country particularly the south west.

The decision of the Five (5) aggrieved governors lead by Atiku Abubakar, former Vice-President, who had contested for the presidency under ACN in 2007 before he rejoined PDP for the 2011 presidential ticket and Bukola Saraki, (former Kwara state governor and the senate president), Aminu Tambuwa (former speaker, house of representative, now governor of Sokoto state) and other high profile members of PDP to join the newly formed APC changed the structural composition which would later have effect on the party. The fear expressed by the supporters of APC has always been how the party would manage the different political interests among the various caucuses in the party.

When it is clear that the APC had won the Presidency and National Assembly elections, the intrigues and internal politics of who emerges the senate president and speaker of house of representative commences. The Peoples' Democratic Party (PDP) has device a means of power sharing among the six (6) geo-political zones. Therefore, the crisis and conflict in the Senate is induced by the struggle of like Minds, loyal to Bukola Saraki to reintroduce the zoning principle in the Senate which the PDP used in sharing important national offices when they controlled the Federal government from 1999 to 2015 (Mbah and Egobueze 2016: 10).

Since President Muhammadu Buhari is from the North West (CPC), his Vice, Professor Yemi Osinbajo from the South West (ACN), Nigerians had believed the Senate President or the Speaker would emerge from the South-East or the South- South regions. Unfortunately, however, the APC had no senator from these regions as at that time (APC now have three senators from the two regions, after defections from PDP and Labour Party to APC) and no ranking members of house of representative from the regions). This threw up the leadership of National Assembly wide open for anyone to catch and besides the APC, unlike the PDP has no zoning in her constitution.

The senate was divided into two groups of support base. The first, "Like Minds" loyal to Bukola Saraki enjoyed and still have the support of all senators under the platform of PDP, his former party and some senators from APC and the "Senate Unity Forum" which was formed to campaign for Sen. Ahmed Lawan and has the support of APC national leader, Bola Ahmed Tinubu. While President Muhammadu Buhari, appeared

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indifferently to the two groups and was ready to work with anyone who emerges. The "Like Minds" benefitted from widely held sentiment that the emergence of Ahmed Lawan would have given too much influence to Bola Ahmed Tinubu camp in Buhari Presidency, while the unity forum argues that for easy policy reforms, there is the need to have the national assembly under the president's control and to witter the storm of legislature politics by influencing the leadership of national assembly to work in tandem with the executive for speedy implementation of party policies and programmes.

Senator Bukola Saraki was known to be nursing the ambition of senate presidency even when he wasn't a ranking member of the senate in 2011. On June 9 2015 both Bukola Saraki and Dogara, former members of PDP were declared senate president and speaker respectively. Saraki defeated Ahmed Lawan with 57 senators that were present voted him unanimously when the remaining 51 senators were at the international conference centre waiting for a truce meeting reportedly called by the leadership of the APC and President Muhammadu Buhari (Premium Times, 2015). While Yakubu Dogara defeated Femi Gbajabiamila with 182 votes to 174 votes (Tukur, 2015). The PDP supports for both Bukola Saraki and Yakubu Dogara despite not enjoying same from the leadership of their party, was paying the APC back in their own coin. In 2011, the then ACN, the leading opposition in house of representative with other minorities and some rebellious members of PDP voted for Aminu Tambuwa against the party favoured candidate, Hon Mulikat Adeola. The fact that both Saraki and Dogara were former members of PDP made it even easier for them to get the support of the party. Since there is high probability that both men might return to the party in the future, the support given to them by the PDP is a way to make it even faster and easier.

In a move to salvage the effect of rebellious act of both Senator Bukola Saraki and Speaker Dogara, APC conveyed the recommended names for the other principal officers of the national assembly. APC approved Ahmed Lawan PhD (North East) as Senate Majority leader, Sen. Prof Sola Adeyeye (South West) as Chief Whip, Sen. Dr George Akume (North Central) as Deputy majority leader, Sen. Abu Ibrahim (North West) as Deputy Chief Whip; Hon Femi Gbajabiamila (South West) as house leader , Hon Alhassan Ado Doguwa (North West) as Deputy house leader, Hon M.T Monguno (North East) as Chief Whip and Hon Pally Iriase (South South) as the Deputy Chief Whip (Gbadebo and Odemwingie, 2015). But contrary to the party recommendations, Sen. Bukola Saraki announced Sen. Ali Ndume (North East) as senate majority leader, Sen. Bala Ibn Na'allah (North West) as Deputy Senate leader, Sen. Francis Alimikhena (South- South) Deputy Chief Whip (Umoru and Erunke, 2015). Given reasons for his refusal, Sen. Saraki stated that he followed rules and procedures of the senate which made the *zonal caucuses, and not party, are empowered to present candidates for principal positions in the chamber* (Tsan and Nda-Isaiah, 2015). On his part, the speaker initially cited federal character and legal factors for his refusal to name party approved candidates, he however rescinded and named the party candidates for principal officers of house of representative.

There are different arguments for the way in which the presidency handled the leadership crisis of the national assembly. First, President Buhari is keeping his word to be a converted democrat and would not temper or interfere with the independence of other institutions. Besides, the scenario been played out at the national assembly would eventually strengthen the legislative institution in Nigeria. Second, other argument is that presidency must interfere in the leadership of the national assembly, if not for easy passage of bills and smooth executive-legislative relations, at least to ensure that the legislators are not been hijacked or influence by the oppositions (in and out of the ruling party, as it is unfolding in the 8th assembly). Governing parties that are internally divided have greater difficulty in forming the legislative majorities necessary to pass laws quickly, especially if their preferences are further away from the opposition (Haber, 2015). Nigeria political Parties are fragmented into various caucuses. Even when the present governing party has the majority to get its policies approved, it has been difficult for the president to the so. As shown in later sections of this paper, the presidency doesn't enjoy the support of majority of legislators even from his political party for obvious reasons. There is no way fragmented political parties would be disciplined; the crack in a party is enough to show lack of cohesion and unity of purpose.

b) Selected Cases under APC Government

The unfolding drama and conflict between the presidency and the senate in particular is the consequences of the leadership crisis of which the seed was planted by the rebellious legislators and how the party responded to the crisis. Not long after the dust had been settle on the leadership of National Assembly, the presidency commenced the prosecutions of senate president and his deputy, for allegedly forged the senate standing rules in their favour. Bukola Saraki is been prosecuted separately at the Code of Conduct Tribunal for alleged falsification of declaration of asset form when he was about to leave office as the governor of Kwara State. At the time the senate president is under trial, the panama paper unravels Saraki properties in tax heaven; the presidency later dropped the forgery trial. The trial at the CCT disrupted seating at the senate, the senators relocated to the CCT in solidarity with the senate president, as if it was the senate that is under prosecution.

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In view of many, senate president is been politically victimized by his party, and therefore, he must seeks help and support of PDP senators whose member he had helped to the post of deputy senate president. From the onset there was lack of coordination in the presidency on the one hand, and between the presidency and national assembly on the other hand. There are contradictories policies, programmes and reports from ministries, department and agencies of government under the power and supervision of the presidency.

One of the issues that lead to the face-off between the executive and legislature is the discrepancies of what the executive presented as the 2016 appropriation bill and what the heads of some agencies defended at the appropriation committee. First, the lawmakers claimed that the executive had inflated the budget with unclear items injected; however, most of the MDAs claimed the budget the lawmakers were making reference to is difference from what they prepared for presentation by the president. The discrepancies generated allegations and counter-allegations, and the possibility that the presidency actually presented two versions of the budget. Again, that the budget was padded by cabals at presidency and in cooperation with the lawmakers may not be ruled-out. The house of representative investigated the allegation and subsequently suspended the chairman of the appropriation committee, Hon. Abdulmumin Jibrin, for 181 legislative days. Abdulmumin Jibrin had claimed that the speaker and other principal officers of the house inserted constituency projects into the budget. In the presidency, the head of budget office was sacked and replaced. There was also allegation of budget disappearing from the senate immediately it was presented by the president. The confusion that trails the 2016 budget is a reflection of lack of coherency, coordination and cooperation between and among the presidency, national assembly and APC. Even though the president constantly met with the senate president and speaker, it has not made their relation less confrontational and distractive.

The funding and execution of constituency projects have remained unresolved since 1999. The legislators had earlier fumed at the exclusion of the constituency projects in 2016 budget and threaten a showdown with the executive. After negotiating with the executive, the projects were inserted into the budget. The constituency projects is view by the legislators has their own effort to get the national cake to their constituents, and inability of any feasible project would negatively affect their ratings and re-election bid. The legislators were also not happy about their exclusion from the social welfare programmes of the present government. The senators wanted the programmes to be like a constituency projects that would get them directly involved. But, to the presidency, the legislators were only trying to hijack the programmes for their cronies and supporters and not for general goods as envisaged by the executive.

Similarly, another area of conflict between the executive and national assembly, particularly the senate is the rejection of summons by some government officials. First it was the secretary to the government of the federation (SGF), Babachir David Lawal that refused to appear before the senate. The summoning was sequence to the allegation of fraud at the Presidential Initiative of North East (PINE), the award of contract for grass clearing in refugee camps in the north east. The senate investigation unravels the fraud to the sum of N500m for grass clearing. Again the same award was contracted to the company in which the SGF have a substantial share which was against the rule of public procurement. In a move to give his refusal to appear a legal backing, he went to court but later rescinded and agreed to appear before the senate. The Senate forwarded its report to the president and order the SGF sacked. In his response, the president sent a letter exonerating Babachir David Lawal to the senate. However, six (6) months after, the president ordered his suspension and constituted presidential panel headed by the Vice-President Prof Yemi Osinbajo to investigate corruption charges against the SGF along with the Director-General of National Intelligence Agency, Ayo Oke.

Immediately after the swearing-in of president Buhari, change of leadership at EFCC was one of his priorities. Mr Ibrahim Mustapha Magu though in acting capacity replaced, Ibrahim Lamorde, which many believe headed the EFCC of toothless bulldog. The EFCC act empowers the president to nominate the chairman of EFCC but subject to the approval of the senate. On the assumption of office, Mr Magu embarks on anti graft crusade, which could only be comparing to Nuhu Ribadu era in EFCC. Money was voluntarily returned, while EFCC operators engage in recovery of funds hidden in banks, apartments and stores. Politicians, ex-cabinets members, paramilitary chiefs, military officers, serving and retired were investigated and in some cases properties and billions of naira were recovered. Nigerians especially those in support of the anti-corruption war of the present administration hailed the success recorded, even when the prosecution and conviction of the accused is a rare occurrence.

Still there's some sense of approval among the masses but the power interplay among forces in the presidency and the senate are hard bend not to see Magu to cross the hurdle of a constitutional screening by the senate. The delay in forwarding the name of Ibrahim Magu was as a result of competing interest at the presidency. It took the bravery of Prof Yemi Osinbajo, the vice president then acting as president to forward the name of Ibrahim Magu as substantive EFCC chairman for senate confirmation. Unexpectedly, the

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senate rejected his confirmation due largely to a damning report by Department of State Security Service (DSS) of him lacking integrity to continue as EFCC chairman.

President Buhari responded to the report by the senate of the rejection of Ibrahim Magu by ordering a separate underground background check on Magu and no concrete evidence to implicate him of the allegation was found, therefore he was re-nominated and his name forwarded back to the senate. In another twist of events, D.S.S once against sent implicating report to the senate, therefore, the senate hinged on the report to reject the nomination of Magu. The senate had capitalized on the power game and supremacy battle within the presidency. As one senator reiterated

> *We told the leadership of our party that political appointees of President Muhammadu Buhari were using the media against us, especially Magu. We stated to them that Magu (case) was brought in dead; that what we did was to only conduct his funeral (Baiyewu, 2017).*

EFCC had been investigating some senators of corruption especially ex-governors, there are some 17 ex-governors both civilian/military governor/ administrators in the 8th senate (Emmanuel, 2015). Immediately after his first rejection, EFCC had accused the senate president of fraud in the Paris Club refund to states government. It was alleged that Saraki been a former chairman of the Nigerian Governors Forum (NGF) received the sum of $3.5billion, the allegation the senate president denied. Despite Magu rejection by the senate twice, he still keeps his job as the acting chairman of EFCC which some senior lawyers have argued can remain in the job in an acting capacity. Some have suggested that the presidency could forward Magu for re-nomination until the senate confirm his appointment.

Other prominent aspect of frosty executive-legislative relationship was the confrontation between the senate and the Comptroller-General of custom Col. Hammed Ali. President Buhari had appointed the retired colonel as the head of the custom, raising eyebrow over the appropriateness of the post. While it is lawful for the head of custom to come outside the organization, the job title could have been an administrator of custom. Soon, the issue of uniform suffice, as retired military man; Col. Ali had said he wouldn't wear the custom uniform; because it would rub off his military prowess. Custom had announced that it would embark on vehicle verification imported through land border and impound those without full duties. The senate summoned the CG and order him to appear in appropriate uniform. The CG initially refused to turn-up and adamant not to appear. He however appears before the senate in mufti and was turned back by the senators to appear in custom uniform. Later, the custom accused the senate of frustrating the new policy because it seized a SUV allegedly belonging to the senate president, the allegation the senate investigated and exonerate the senate president of any wrong doing.

In a move to inform the executive of the frustration of the senate, it had threatened not to take any further action on 2017 appropriation bill and the 27 Resident Electoral Commissioner nominees sent to it. In a swift reaction, the APC had caution the appointees to shed their sword and respect the senate. Subsequently, the senate proposed an amendment to the EFCC act that would transfer the power to appoint the chairman from the executive to the national assembly. Again, in bid to usurp the power of the executive, there is another proposal to bring the code of conduct tribunal directly under the control and influence of the national assembly. The CCT has been placed at the presidency. Even though there had been agitation in the past for the CCT to be taken to either the control of the judiciary or the legislature, however the present propose amendments are in bad faith.

The power politics in the National Assembly took a new turn by the suspension of another member. Abdulmumin Jibrin had been removed and suspended as the chairman of the appropriation committee of the house of representative after the budget padding scandal of 2016. The second suspension was handed to Sen. Ali Ndume, by this time, had been removed as the senate leader in what looked like a palace coup. It was reported that Ndume excused himself to observe the noon Islamic prayer and before he came back, power had changed hands. Sen. Saraki sacrifice Ndume for Sen. Lawan, his challenger for the senate presidency and the party's backed candidate. Sen. Lawan had been recommended to Saraki as the Senate leader, but instead announced Ndume as the senate majority leader.

The reason(s) why Saraki removed Ndume is clouded in obscurity. But it may not be unconnected to Ndume's constant support for President Buhari. In reacting to Magu rejection by the senate for the second time, Ndume had challenged the Sen. Bukola for lacking moral right to base Magu rejection on D.S.S investigation. In the floor of the senate, Ndume called for the investigation of Dino Melaye certificate scandal and the allegation by the custom of fake document to clear SUV allegedly belong to the senate president. Both allegations were investigated by the senate committee on ethics; the report exonerated both Sen. Bukola Saraki and Dino Melaye. The committee recommended suspension of Ndume for 190 legislative days. There are similarities between the suspensions of Jibrin by house of representative and that of Ndume of the senate. First both men are members of APC the majority party in both chambers of National Assembly; second, they were allies of both senate president and speaker who defied their party.

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III. Executive-Legislative Rife: The Struggle for Power?

In view of many, the power play in National Assembly and the rift with the executive are moves towards the 2019 general elections. The rift between the institutions is not new in Nigeria at both national and sub-national levels; the patterns have been similar since 1999. No doubt, the APC legislators have remained the government strongest opposition. Even though the same party control both the executive and the legislative, this confrontation between the arms of government is not unpredictable.

First, political party influence in the emergence of principal officers of the parliament in the presidential system has been another lingering problem especially in Nigeria. Since the two institutions have separates origin and survival, the best possible way to balance the need for the independence of the National Assembly, party cohesion, the spread of political office among competing interests or what is known as zoning and the desire of the president to have smooth relations with the legislators for easy approval of bills and nominations continue to be problematic. The constant changes of national assembly leaders during Obasanjo and Yar'adua tenures (1999 to 2010) is as a result of this cobweb of competing intrigues within the erstwhile ruling political party, the Peoples' Democratic Party, the presidency and the legislators. Goodluck Jonathan had no concrete confrontation with the legislators, thus there was stability in the National Assembly. its two years into the present administration, but from the available evidence, the recent confrontational stand of the senate is the unfavourable emergence of principal officials of the national assembly to the presidency and the party, APC and their initial reaction to the rebellious act of the legislators.

Second, the public misconception about the role of the legislature has been a challenge, which the executive has capitalised on. People most time confuse the role of the legislature to that of executive and place high expectation on them to provide amenities such as roads, schools, hospital, employment, social/ economic empowerment programme and even to seek personal help like payment of hospital bills and tuition fees. Thus, failure to provide these amenities is regarded as legislative ineffectiveness both individually and as an institution of government. In a survey conducted in Kwara State, Nigeria out of the 229 respondents who plan to vote in 2015, 209 (91.3%) of the respondents plan to vote in the presidential election, 87 (38%) of the respondents plan to vote in the senatorial election, 78 (34.1%) of the respondents plan to vote in the House of representative election, 138 (60.3%) of the respondents plan to vote in the governorship election and 71 (31%) of the respondents plan to vote in the House of assembly election. Of the 209 that plan to vote in the presidential election (Ojibara, 2015:76).

Third, the legislature been a victim of prolong military rule has constantly in the struggle for power, relevance and public acceptability in the political space. Majority of Nigerians are ignorant about the functions of legislators and in constant bashing by the Nigeria Public. The recent gridlock in the National Assembly has some Nigerians advocating a separate date for the National Assembly elections. Nigerians are now aware of the importance of the legislature as a critical institution for democratic development and advancement. The need to be more sensitive about candidates seeking legislative seats has also been stressed. Politicians' fates are linked due to public perceptions of collective responsibility for competence, honesty, and policy success or failure, accordingly, a politician's career depends on both individual attributes and collective party characteristic (Samuels and Shugart, 2006: 10).

In addition, Saraki is known to have the presidency as his final political destination. The power play is view as his battle for political reckoning and influence within APC and PDP. The process that threw up the emergence of both Saraki and Dogara was possible because the duo were formal members of PDP, the erstwhile governing party. The allegation that both men are preparing ground for their return back to the PDP can't be wash away given that politicians cross-carpet at will. Related to the above, some of the executive-legislative conflicts are masterminded by forces outside the precincts of the institutions but using forces within the parliament (Muhammad, 2010:96-112). The argument is that both Saraki and Dogara are implementing this agenda and will jump ship as the 2019 approaches. In the face of policy disposition by an executive bent on "fighting corruption" as a fundamental principle of governance in Nigeria, then a major fallout is expected with legislators bent on perpetrating a rapacious mode of political behaviour and its attendant social and economic consequences (Bassey, 2014:36-52). Unfortunately, the executive has not properly investigated corruption against some government officials.

Furthermore, another area of serious argument in presidentialism is the issue of party supremacy. It is clear that the constitution is supreme and supersedes any other laws in the country, political parties most often than not, emphasized the importance of party supremacy to legislators. What is often refers to as the party supremacy is the decision of the few that control the party machinery which is expected to be final and binding. The process of candidates nomination is not always open and transparent, unlike in the United States of America were all party members participate in the nomination at one stage or the other. In Nigeria, only few party members engage in the primaries process. The

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influence of Godfathers 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, 2014:37-52).

The line of leadership and authority of political parties in parliamentarianism is very clear. Any party member that wins the leadership contest of a political party is automatically declare as the prime-minister when such party triumph in general elections and in as much as he/she continues to enjoy the support of members of the party both in parliament and outside. The control of both the party and machinery of government is therefore unified. In Presidential system, even when the president is considered to be the leader of the party, which is mostly ceremonial, his influence maybe limited. In Nigeria, there have been cases of clash of interest between presidents and party chairmen. During the tenure of Obasanjo (1999-2007), the Peoples' Democratic Party had more than five (5) chairmen during this period, a reflection of party indiscipline and inconsistencies.

Finally, president Buhari has been left as a political orphan in this power play. The senators loyal to Bola Ahmed Tinubu seem to have withdrawn their supports to the president. The political naiveties exhibited by Pres. Buhari in the first month of his administration proved to be his greatest undoing. The Buhari camp had accused Bola Ahmed Tinubu of trying to wield too much power in the presidency and the possible way to put him under check is not to support either camp at the national assembly. The events in recent months have left the president at the mercy of the senators demanding that Saraki trial at the CCT should be discontinue. Finally, the 8th national assembly has accused the presidency of not lobby them for smooth passage of appropriation bills, confirmation of nominees and the anti-corruption war. Lobbying in Nigeria parlance is the dashing out of cash and distribution of patronages. The term "Ghana must go" or brown envelop" is synonymous with the national assembly especially during Obasanjo administration. The national assembly want Pres. Buhari to continue in that tradition of distributing cash largesse to them in return for their support.

IV. Conclusion

The unfolding events, drama and rift between the executive and legislature under APC government are not unpredictable. The prolonged military rule negatively affected the legislature, some Nigerians couldn't understand why bicameral is necessary. The legislature has been struggle for relevance in the political space since returned to democracy in 1999. The struggle for survival, independence and power often place the legislators in confrontation with the executive and in Nigeria case, the political party. What constitutes party supremacy have been a challenge, and whether the legislators should follow the instructions given to them by their political party or in should act in the interest of the constituents and the nation. Political parties in Nigeria haven't been able to draw a line among the competing interests. While the executive and legislative gridlock is not new in Nigeria, the present confrontation has not been well managed by the APC. Given the nature and process leading to it formation, APC, like all political parties in Nigeria lack internal conflict resolution mechanism, thus they are fragmented along caucuses around political heavy weight.

Again the time for political parties and Nigerians in general to give importance to the legislature like the executive has also been stressed. The present situation whereby the national assemble election is been treated with less interest and enthusiasms should be checked. The national orientation agency should embark on national campaign to enlighten and educate Nigerians why more emphases and interest should be place on legislative elections. Also the power, functions, responsibilities of legislators should be well communicated to the electorates, so the legislators wouldn't be under undue pressure from their constituents for the execution of project, which is solely the responsibility of the executive.

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