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An Appraisal of Voters

National Election of Ethiopia

Highlights

The Politics of Labeling

Implications on Nigeria Democracy

Discovering Thoughts, Inventing Future

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Politics of Defection and its Implications on Nigeria's Democracy

By Lawrence I. Edet

University of Uyo

Abstract- This study examines the politics of defection and its implications on Nigeria's democracy. Nigeria's return to democracy in 1999 ushered in a great hope of democratic dividend and heralded a rare opportunity for the country to launch a new democratic strategy, after years of military dictatorship. The emergence of multiparty democracy in Nigeria since 1999 has been seen as a major breakthrough in the democratic process. However, the way and manner politicians in Nigeria defect from one party to the other has not only constituted democratic nuisance, but has continued to raise serious concern among political observers and participants in Nigeria. This have lend credence to lack of clear ideology and manifesto among political parties in Nigeria. The issue of defection has been one of the major bane of democratic process in Nigeria.

Keywords: democracy, defection, political culture, political party, political socialization.

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Politics of Defection and its Implications on Nigeria's Democracy

Lawrence I. Edet

Abstract- This study examines the politics of defection and its implications on Nigeria's democracy. Nigeria's return to democracy in 1999 ushered in a great hope of democratic dividend and heralded a rare opportunity for the country to launch a new democratic strategy, after years of military dictatorship. The emergence of multiparty democracy in Nigeria since 1999 has been seen as a major breakthrough in the democratic process. However, the way and manner politicians in Nigeria defect from one party to the other has not only constituted democratic nuisance, but has continued to raise serious concern among political observers and participants in Nigeria. This have lend credence to lack of clear ideology and manifesto among political parties in Nigeria. The issue of defection has been one of the major bane of democratic process in Nigeria. The rateat which Nigerian politicians' defect from one party to another depicts political immaturity, ideological confusion and total lack of sense of direction within the political class. Therefore, the study investigated the peculiar trend of defection in Nigeria and its implications on Nigeria's democracy. In achieving this objective, the study relied on content analysis. The study however, recommended among others; the strengthening and/or amendment of the constitution and electoral laws to regulate the alarming rate of defection of politicians in Nigeria, social re-orientation and political education directed towards inculcation of new values and norms in the political system.

Keywords: democracy, defection, political culture, political party, political socialization.

I. Introduction

The practice of defection from one party to the other appears to have become a necessary attribute of party politics in Nigeria. Politics of defection in Nigeria can be traced to 1951, when several members of NationalCcouncil of Nigeria and Cameroon (NCNC) defect to the Action Group (AG) just to deny Dr. NnamdiAzikiwe and his party (NCNC) the majority in the Western Regional House of Assembly, which the party required to form the government in the Western Region (Adejuwon, 2013). Within the Action Group (AG), LadokeAkintola, a deputy leader of AG, left the party in a crisis of personality and ideology between him and the party leader, Obafemi Awolowo, to form United Democratic Party (UNDP). UNDP then entered into alliance with Northern People's Congress (NPC) to frustrate AG dominance of the Western Region.

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Lending credence to the above, Mbah (2011) argued that defection has become not only a norm but an increasingly permanent feature in the Nigerians democratic culture. Party defections and political instability are the greatest challenges confronting Nigeria's democracy (Nwanegbo*et al.*, 2014). The usual practice is politicians defecting to other political parties if they fail to secure party nominations during own party's primaries, while some who felt disillusioned, cheated or denied free and fair primaries, defect to other parties so as to participate in the elections, with the intention of returning to their original parties after such elections. This has been the practice during election periods in Nigeria since democratic resurrection in Nigeria in 1999.

One of the issues that has contributed to party defections in Nigeria is lack of internal democracy within political parties. In Nigeria, recognition of candidates for nomination and selection for primary elections depends on the strength of the candidate in area of economic and political power, without any due consideration of the integrity and capability/capacity of the candidate involved (Jinadu, 2014). These acts have led to political crises leading to individuals defecting to other parties and/or forming new parties as a result of dissatisfaction with party operation and general voter's apathy in the democratic process. (Badejo *et al.*, 2015). For instance, the unhealthy power contest and intra-party crises prompted incessant defections of prominent members of People's Democratic Party (PDP) between 2013-2015 to the opposition party-the All Progressive Congress (APC). In Nigeria, no political party has clear ideology and this has accounted for incessant internal party crises which usually leads to defections. But in some cases, politicians still defect to another party even when there is no crisis within their political parties. As a result of the above scenario, it is necessary to note that party defections in Nigeria are not restricted to one party, but has become a political norm in Nigeria's democracy. Therefore, the spate of defections and its implications on Nigeria's democracy has raised a fundamental question on the sustainability of democracy in Nigeria.

However, the study intends to answer the following questions:

i. What are the factors responsible for party defections in Nigeria?
ii. What are the implications of party defections on Nigeria's democracy?

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II. Conceptual Exploration of Defection and Democracy

Conceptual exploration of defection and democracy is necessary in this study to give clear understanding of the terms and their impact on each other. Defection is an act of swapping political parties. It is an act of changing party allegiance or moving from one party to another. This particular term is known by different nomenclatures-"decamping," "cross-carpeting", "party hopping, "party switching," "party crossover" and canoe-jumping" (Malhotra, 2005). Some scholars has argued party defection is caused by political events involving political institutions while others concluded that it is as a result of ideological pressure (Nokken and Poole, 2002).

However, Malhotra (2005) observed that in some nations, party defection are not taken seriously whereas, in some countries, such actions are seen as threat to democratic stability. This threat prompted the enactment of laws against defection in some countries. For instance, India enacted laws against defection in 1973, 1985 and 2003. The law provides that a person can be disqualified from serving in parliament for withdrawing membership of his original political party (Janada, 2009). The law reduce cases of party defection in the Indian polity since it was difficult for Indian public office holders to forfeit their position. In Nigeria, there exist also allow aim at checkmating the rate of defection in sections 68 and 109 of the 1999 Nigerian constitution (as amended). However, inherent deficiencies in the law have frustrated the achievements of the purpose of the law.For instance, section 68 (1g) states thus:

> *A member of the senate or the House of Representatives shall vacate his seat in the House of which he is a member if being a person whose election to the House was sponsored by a political party, he becomes a member of another political party before the expiration of the period for which that House was elected. Provided that his membership of the latter political party is not as a result of a division in the political party of which he was previously a member or of a merger of two or more political parties or factions by one of which he was previously sponsored (Constitution of Federal of Nigeria, 1999, p.34)*

However, Winston Churchill remained one of the foremost political defector. He first joined the British parliament as a Conservative in 1901, defected to the Liberal in 1904, and defected back to the Conservative in 1925 (Wikipedia-The Free Encyclopedia, 2014). In Nigeria, the former Vice President, Alhaji Atiku Abubakar seems to be the most defected PDP politician in recent times, he defected to Action Congress of Nigeria (ACN) from Peoples' Democratic Party (PDP), then moved back to PDP and then moved back to APC Progressive Congress (APC). On the other hand, democracy is a system of government that encapsulates three vital components: meaningful competition among individuals for public office using political parties at periodic intervals, inclusive participation of the citizens in the selection of leaders and policies formation/ implementation and considerable level of civil and political liberties (Diamond *et al.*, 1989).

Nnoli (2003) see democracy as a system of government involving freedom of individuals' political life, equality of citizens before the law, social justice in the relations between the people and government as well as free choice of individuals in deciding political leaders. Schumpeter (1990) conceptualize democracy as an institutional arrangement for reaching political decisions through which individuals acquire the power to decide, by means of a free and competitive struggle for the people's votes. Democracy cannot function effectively and efficiently without political parties and individual belonging to political parties can retard democratic process through their actions within the political parties. Democratic success is measured on the extent to which people have unrestrained access to participation in the policy processes (Unah, 1993).

What really gives democracy meaning is the right of citizens to freely participate and choose their leaders. The extent of citizens' involvement in decision-making relates directly to the type of policies government make. The absence of the above elements retards any democratic efforts.

III. Ideological Confusion and the Challenges of Democracy in Nigeria

The alarming rate of defection of politicians and instability within political parties occasioned by lack of internal democracy tends to obstruct democratic sustenance in Nigeria. Political party is one of the major institutions prerequisite for democratization and democratic sustenance. In advance democracies such as U.S.A., Britain, Germany, etc. parties have been known to exist on sustained ideological base, not just platform for ascending to political power.Ideology, according to Christenson (1981) is seen as a belief system that justifies chosen political order for the society. It is a set of shared beliefs regarding the proper order of a society (Omotola, 2009). Omotola (2009) avers that ideology constitute the hallmark of social political identification as well as mobilization and unifying factor.Ideology as a set of beliefs has the potency of unifying people of different cultures, ethnic groups, religion, gender and orientation.

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Galvanizing the concept of political ideology in Nigerian politics will prove clearly that Nigerian political parties lacks clear ideology and in fact, suffering from ideological confusion. Since Nigeria's independence in 1960, Nigerian parties have been established on baseless foundations. This has accounted for unnecessary defections of Nigerian politicians because these parties lack clear ideology. While Omotola (2009) argued that this baseless foundation of Nigerian political parties is responsible for party's ideological barrenness, we conclude that complete absence of ideology in Nigerian political parties has accounted for the prevailing party crossover and party switching in Nigeria.

For instance, all political parties in Nigeria have one internal crisis or the other. Often, these crises led to conflict, division, factionalization and killing of party members. Example, the killing of former Justice Minister, Bola Ige after he indicated his interest to resign his position in PDP-led government and return to help his party, Alliance for Democracy (AD) for the 2003 elections, the killing of PDP South-South leader, Harry Marshall after he cross-carpeted to All Nigeria Peoples' Party (ANPP), the killing of former Deputy Speaker, Akwa Ibom State House of Assembly after he defected from PDP to All Progressive Congress (APC) to contest 2015 general elections for the State House of Assembly, etc. are all clear instances that party politics in Nigeria is not rooted on ideological democratic principles.

In Nigeria, issues such as ethnicity, religion, language, culture, money, etc. have considerable role in the formation and management of political parties and thus, it is pertinent to note that democratic sustenance in Nigeria has remained a "tall dream" that may not be achieved. Nigerian political parties are riddled with ideological confusion, internal crisis and lack of capacity to sustain itself. This has accounted for parties charging names, merging with other parties and sometimes form alliance but still face peculiar problems. Ideological principles is necessary in party formation, structure and management. This is why Seliger (1976) averred that politics interconnect with ideology. Fundamental in party ideology is the entrenchment of internal party democracy to guarantee equal opportunity for participation and protest.

Table 1: Major Catalogues of Political Cross-carpeting in Nigeria

Names	Old Party	New Party	Names	Old Party	New Party
Alhaji Kwatalo (Dep. Gov.)	ANPP	PDP	ChubaOkadigbo (Senator)	PDP	ANPP
AdamuArgungu (Dep. Gov.)	ANPP	PDP	Ike Nwachukwu (Senator)	PDP	NDP
EnyinayaAbaribe (Dep. Gov.)	PDP	ANPP	Jim Nwobodo (Senator)	PDP	UNDP
John Okpa (Dep. Gov.)	PDP	ANPP	Chukwemeka Ezeife	AD	UNPP
BuckmorAkerele (Dep. Gov.)	AD	NDP	Mohammed Goni	PDP	UNPP
GbengaAluko (Senator)	PDP	ANPP	Chris Okotie	NDP	JP
Khadirat A. Gwadabe	PDP	ANPP	ObinnaUzor (Gov. Aspirant)	PDP	NDP
Daniel Saro (Senator)	PDP	UNPP	HarunaAbubakar (Gov. Aspirant)	PDP	NDP
Peter Ajuwa	ANPP	LDP	Nuhu Audu (Gov. Aspirant)	PDP	UNPP
Mala Kachala (Gov. Asp.)	ANPP	AD	NnannaOnyenekon	ANPP	PDP
Mike Mku	PDP	UNPP	Catherine Acholonu	PDP	UNPP
GbengaOlawepo (Gov. Asp.)	PDP	NDP	Emma Bassey (HOR)	PDP	ANPP
Matthew T. Mbu Jnr. (Senator)	PDP	ANPP	Graham Ipingasi (HOR)	PDP	ANPP
OmololuMeroyi (Senator)	AD	PDP	GbengaOgunniyi	AD	PDP
AlliBalogun (HOR)	AD	UNPP	Kingsley Ogunlewe (HOR)	AD	PDP
AppolosAmodi (HOR)	PDP	NDP	Dorcas Odunjiri (HOR)	AD	PDP
Alh. M. Koirana-jana	UNPP	PDP	Roland Owie	PDP	ANPP
UcheOgbonnaya	PDP	ANPP	Marshall Harry	PDP	ANPP
Ukeje O.J. Nwokeforo	UNPP	AD	SergentAwuse	PDP	ANPP
Emmanuel Okocha	APGA	PAC	WahabDounmu (Senator)	AD	PDP
Adamu Bulkachuwa	PDP	ANPP	Emmanuel Iwanyanwu	ANPP	PDP
Kura Mohammed	PDP	ANPP	IyolaOmisore (Dep. Gov.)	AD	PDP
Chief IdowuOdeyemi	PDP	AD	Jonan Jang	PDP	ANPP
Chief Ade Akilaya	PDP	AD	YemiBrinmo-Yusuf	AD	PDP
Olufemi Ojo	PDP	AD	FedelisOkoro	AD	PDP
KayodeOguntoye	PDP	AD	GbolahanOkuneye (HOR)	AD	PDP
James Mako	AD	PDP	AuthurNzeribe	ANPP	PDP
FedelisOgodo	AD	PDP	LakenBalogun (Senator)	AD	PDP
Arinze Egwu	ANPP	PDP	Alex Kadiri (Senator)	ANPP	PDP
Patrick Edediugwu	ANPP	PDP	Funso Williams	AD	PDP
Ray Akanwa	PDP	ANPP	RochasOkorocha	PDP	ANPP

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Bode Olajumoke	ANPP	PDP	Danishi Sango	PDP	AD
Hassan Y. Bagudu	PDP	ANPP	OlusolaSaraki	ANPP	PDP
AmbaliAmuda	ANPP	PDP	Alh. AbdulazizTonku (HOR)	ANPP	UNPP
KhindeAyoola	AD	PDP	Muhammed Khalie	PDP	ANPP
AlliBalogun	AD	PDP	Mrs. O. AdiukwuBakare	PDP	AD
Peter Oyetunji	AD	PDP	AuduDamsa	PDP	ANPP
RamotaOkemakinde	AD	PDP	DapoSarumi	PDP	PAC
SalisuMatori	PDP	ANPP	ToyinAnifowoshe	JP	NDP
Ibrahim Lame	PDP	ANPP	Bukar Mai Lafiya	ANPP	PDP
Annie Okonkwo	PDP	ANPP	Col. Magji Deb (rtd)	ANPP	PDP
Chief Akin Akomolefe	PDP	AD	Alh. SaiduShehuAwak	ANPP	PDP
Chief (Mrs) A. Olaye	PDP	AD	Muhammad Dukku (HOR)	ANPP	PDP
TundeOwolabi	PDP	AD	LekeKehinde (HOR)	AD	PDP
EmekaNwajiuba	ANPP	NDP	AdemolaAdegoroye	AD	NDP
Magnus Ngie-Abe	ANPP	PDP	Ichie Mike Ejezie	UNPP	ANPP
Price Ugorji A. Oti	ANPP	PDP	E. Aguariavwodo (HOR)	ANPP	PDP
Ben OkeObasi	ANPP	PDP	ToyinAnifowoshe	NDP	JP
Joseph Egwuta	ANPP	PDP	Alhaji Ibrahim Apata	ANPP	PDP
Linus Okorie	PDP	ANPP	IkediOhakim (Gov.)	PPA	PDP
Jafar Bio Ibrahim	ANPP	PDP	Theodore Orji (Gov.)	PPA	PDP
Raheem Agboola	AD	ANPP	Orji UzorKalu (Gov.)	PDP	PPA
UcheNwole	PDP	ANPP	RochasOkorocha (Gov.)	APGA	APC
Peter Adeyemo	AD	ANPP	Chris Ngige	PDP	APC
AyokaLawani	AD	ANPP	AchikeUdenwa	PDP	ACN
O. Odumbaku	AD	ANPP	Chibuike Amaechi (Gov.)	PDP	APC
Prince Elvis Jude Agukwe	PDP	AD	AttahiruBafarawa	APC	PDP
EffiongEdunam	NDP	PDP	MuritalaNyako (Gov.)	PDP	APC
Catherine Acholonu	UNPP	NDP	RabiuKwankwaso (Gov.)	PDP	APC
ChinwokeMbadinuju (Gov.)	PDP	AD	Abdulfatah Ahmed (Gov.)	PDP	APC
Alhaji BaffaGarkuwa	ANPP	PDP	AliyuWamakko (Gov.)	PDP	ACN
Abdulmuminu Abubakar	ANPP	PDP	IfeanyiArareume	PDP	ACN
Sa'adu Muhammad	ANPP	PDP	Isa Yuguda	ANPP	PDP
Alhaji Sada Yakubu	ANPP	NDP	Mahmud Shinkafi (Gov.)	ANPP	PDP
Muhammad A. Umar	ANPP	PDP	IbikunleAmosun	PDP	APC
George Okpagu	UNPP	ANPP	Segun Oni	PDP	APC
Alhaji Ibrahim Ali Amin	ANPP	PDP	George Akume	PDP	APC
Isa Kachoko	ANPP	PDP	Femi Pedro	ACN	LP
Segun Mimiko (Gov.)	LP	PDP	Emmanuel Ukoette	PDP	APC
SaminuTuraki (Gov.)	ANPP	PDP	ChubaOkadigbo (Senator)	PDP	ANPP
Atiku Abubakar (VP)	PDP	ACN	Andy Uba (Senator)	PDP	APC
Timipre Sylva	PDP	APC	Nelson Effiong (Senator)	PDP	APC
Tom Ikimi	PDP	APC	Aminu Tambuwal (Speaker HOR)	PDP	APC

Source: Thisday, May 26, 2002; The Guardian, July 5, 2002; Thisday, November 30, 2002; Daily Independent, February 5, 2003; The Guardian, January 11, 2003;New Nigeria, May 17, 2002;Weekly Trust, November 15, 2002; Daily Trust, February 18, 2003; The Guardian, February 21, 2003; Thisday, February 27, 2003;Newswatch, December 23, 2013; Vanguard, December 22, 2013; Sun, December 22, 2013;Punch, January 3, 2014; Vanguard, September 27, 2014; Sun, November 9, 2014; Sun, February 8, 2017.

The above is just an abridged version of catalogues of political cross-carpeting in Nigeria. However, it could be noted that the "political prostitution" in Nigeria is permitted in the executive the arm of government under the 1999 constitution. The provisions of section 68 (1g) only affects the legislature and to some extent, ambiguous. This is so because the issue of division in political party or factions within a political party is a relative term that can be interpreted different. Someone might defects from his original party to another as a result of minor disagreement and claim the party was factionalized or divided. Section 68 and 109 of the 199 constitution (as amended) have not empower any agency to determine when a political party is factionalized or divided and this has reduce these constitutional provisions to a fallacy and ambiguity. This has further created unnecessary confrontation in the political system. This is so, because the processes of conducting party affairs and regulating the behaviour of party members have remained largely irreconcilable.

Therefore, the major source of confusion, conflict and lack of focus in both ruling and opposition

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parties in Nigeria is that they lack ideological foundation. The truth is that both the old and new parties in Nigeria are virtually the same in terms of attributes and characteristics. Defection in Nigeria have been more confusing, conflicting and cannot promote democratic stability. This scenario has been obstructing democratic consolidation and growth in Nigeria. For political party to promote democratic sustainability, it must be rooted in clear ideology. Political party is the fruit of ideology and ideology is the root of political party. Political party is vulgar when not liberalized by ideology and ideology fades into a mere literal concept when it loses sight of its relations with political party.

IV. Defection and its Implication on Sustenance of Democracy in Nigeria

The act of defection in Nigeria is traceable to the emphasis on the primacy of political power. Easton (1965) see politics as an avenue for authoritative allocation of values for the society. People struggle for political power so as to be able to preside over the allocation of resources for the society. This is because the possession of state power directly give access to economic power. By implication, those who hold political positions determine the allocation and distribution of economic resources and political rewards. The alarming rate of political defection in Nigeria and the increasing number of party defectors remains a serious source of concern. This concern, according to Ogundiya (2011) revolve around the role of political parties in the collapse of first, second and third republics.

Mbah (2011) averred that desperation to hold public office as means of accumulating wealth make Nigerian politicians to cross-carpet without justifications. In advance democracies such as U.S.A. Britain, Germany, Australia, etc. cross-carpeting is done on ideological principles, rather than on selfish and personal interest. For instance, a member of Republic Party in the USA can express support for Democratic Party member or aspirant without necessarily defecting to Democratic Party. In 2008, Collin Powell, a former US secretary of Defence publicly supported Democratic Party candidate, Barrack Obama for the US presidential elections without defecting to Democratic Party. Why political defection in Nigeria is almost becoming a culture is that there is paucity of ideas, collapse of political values and norm, lack of principles based on shared beliefs and the selfish interest of Nigerian politicians. Under this circumstance, democracy as built on faulty and false foundation. Issues such as ethnicity, religion, individual personality and language influence the formation of political parties and movement of politicians to a particular parity.

Momoh (2010) noted that political parties in Nigeria have manifestoes that are all virtually the same. These manifestoes are formulated by consultants, not party members or activists. This may have been the reason why Nigerian political parties always look up to electoral commissions to help in educating the voters. Oyebode (2012) submits that it is difficult to have democracy without genuine and committed political parties. Political parties operating in Nigeria are nothing but an organization managed by opportunists. In Nigerian democracy, there is lack of internal democracy within political parties as a result of frequent conflicts, crises and imposition of candidates for elections. While Aina (2002) doubt the integrity of political participation and competitions in Nigeria of which parties are the basis, Mbah (2011) portend Nigerian political party as strip of ideological foundation, deficit in ideas and principles. This ideological bankruptcy has reduced Nigerian political parties to a mere organization that survive on monetization as the basis for loyalty and support. This act erodes the efficacy of democratic sustenance through party processes. In Nigeria, politicians only defect from one party to another to contest elections or get favour not on the basis of party ideological differences.

V. Conclusion and Recommendations

This paper examines the politics of defection and its implications on Nigeria's democracy. From the analysis, it could be stated party defection arising from internal party conflict remained a serious challenge to Nigeria's democracy. Party defection and ideological confusion in the present republic constitute a major problem to democratic stability. Politicians defect from one party to another not on the basis of ideological disagreement, but on selfish interest. Mbah (2011) submitted that party defection has serious negative impact on democratic stability and consolidation. The trend of baseless defections among Nigerian politicians makes mockery of Nigerian democracy, negates the values of opposition parties in democratic system, invalidate opposing views and reduce the efficacy of alterative democratic choices.

Party defection if not checked, could move Nigeria into a system without viable opposition to serve as watchdog to the ruling party. Momoh (2010) linked party defection to political culture and suggest the emergence of new political culture to build on new values and virtues, to reinforce the democratic practice in Nigeria. It is also worthy to note that the nature and character of political parties can frustrate members seeking to defect. Democracy is built on ideologically sustained political parties and the extent to which this is derailed can exert negative influence on democratic stability and consolidation.

However, this paper acknowledge the critical role of civil society groups, non-governmental organizations and pro-democracy groups in reversing

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this "democratic confusion". The study recommended the strengthening and amendment of the constitution and electoral laws to regulate the alarming rate of defection of politicians in Nigeria. Strengthening and sustaining Nigeria's democracy requires a social re-orientation, consistent political education and mobilization based on democratic culture directed towards inculcation of new values in the political system.

References Références Referencias

1. Adejuwon, L. (2013) 'Of carpet-crossing and old wine in new bottle', *Newswatch*, December 23, p.21.
2. Aina, A. D. (2002) 'Party politics in Nigeria under Obasanjo Administration', Monograph series, Department of Political Science and Sociology, Babcock University, Nigeria.
3. Badejo, B. T. &Obah-Akpowoghaha, N. G. (2015) 'The impact of cross-carpeting and multiplicity of political parties in Nigerian democratic process', *Journal of African Studies and Development*, Vol.7, No.8, pp. 215-230.
4. Christenson, *et al* (1981) Ideologies and Modern Politics. New York: Harper and Row.
5. Constitution of Federal Republic of Nigeria (1999), as amended.
6. Daily Independent, February 5, 2003.
7. Daily Trust, February 18, 2003.
8. Diamond, L., J. Hartlyn., Linz, J. &Lipset, M. (1989) Democracy in Developing Countries. Boulder: Lynne Reiner Publishers.
9. Easton, D. (1965) A Systems Analysis of Political Life. New York: Wiley.
10. Janada, K. (2009) 'Laws against party switching, defecting, or floor crossing in National Parliaments', The Legal Regulation of Political Parties. The Working Paper 2.
11. Jinadu, A. (2014) 'Political parties and democracy in Nigeria', In Olu Obafemi, Sam Egwu, Okechukwu Ibeanu and Jibrin Ibrahim (Eds), *Political Parties and Democracy in Nigeria*. Kuru: National Institute for Policy and Strategic Studies (NIPSS).
12. Malhotra, G. C. (2005) Anti-defection Law in India and the Commonwealth, New Delhi: Metropolitan Books Co.
13. Mbah, P. (2011) 'Party defection and democratic consolidation in Nigeria 1999-2009', *Afro-Asian Journal of Social Sciences*, Vol.2, No.2, pp. 1-21.
14. Momoh, A. (2010) 'Democracy and elections: Myths, illusions and realities'. Being a lecture delivered at 3rd Annual Law and Social Development at Airport Hotel, Ikeja, October 25.
15. New Nigeria, May 17, 2002.
16. Newswatch, December 23, 2013.
17. Nnoli, O. (2003) Introduction to Politics. Revised 2nd Edition. Enugu: PACREP.
18. Nokken, T. & Poole, K. (2002) 'Congressional party defection in American history.' Being a paper presented at the Annual meeting of the American Political Science Association, San Francisco, August 29.
19. Nwanegbo, J.,Odigbo, J. &Nnorom, K. (2014) 'Party defection and sustenance of Nigerian democracy', *Global Journal of Human-Social Science,* Vol.14, No.6, pp. 1-8.
20. Ogundiya, I. S. (2011) 'Party switching and defection in Nigeria: Implications for democratic consolidation', In Ogundiya, I. S. (ed.), *Political Parties and Democratic Consolidation in Nigeria*. Ibadan: Codat Publications.
21. Omotola, S. (2009) 'Nigerian parties and political ideology', *Journal of Alternative Perspectives in Social Sciences*, Vol.1, No.3, pp 612-634.
22. Oyebode, A. (2012) 'The future of democracy and the rule of law in Nigeria'. Being lecture delivered at Ikoyi Club, Lagos, May 28.
23. Punch, January 3, 2014.
24. Schumpeter, J. (1990) Capitalism, Socialism and Democracy. New York: Harper and Row.
25. Seliger, M. (1976) Ideology and Politics. London: George Allen and Unwin.
26. Sun, December 23, 2013.
27. Sun, November 9, 2014.
28. Sun, February 8, 2017.
29. The Guardian, July 5, 2002.
30. The Guardian, January 11, 2003.
31. The Guardian, February 21, 2003.
32. Thisday, February 27, 2003.
33. Thisday, May 26, 2002.
34. Thisday, November 30, 2002
35. Unah, J. (1993) Fundamental Issues in Government and Philosophy of Law. Ikeja: Jojo Educational Research and Publisher Ltd.
36. Vanguard, December 22, 2013.
37. Vanguard, September 27, 2014
38. Weekly Trust, November 15, 2002.
39. Wikipedia - The Free Encyclopedia (2014).

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The Politics of Labeling in International Relations: The Case of the So-Called "Coup d'Etat of March 2009" in Madagascar

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Abstract- The consecutive and unconstitutional transfers of power which occurred in Madagascar on March 17, 2009, between, on the one hand, President Marc Ravalomanana and the Military Directorate, and on the other hand, the Military Directorate and Andry Rajoelina, have been labeled and condemned as a "coup d'état" by the great majority of the members of the international community. However, despite this quasi-unanimity, the different members of the international community adopted different responses in dealing with this so-called coup d'état. Using the labeling approach, this study analyzes the rules and procedures of the relevant members of the international community in dealing with a coup d'état in general and their actual responses in the particular case of Madagascar. This study finds, on the one hand, that the rules and procedures of the relevant members of the international community in dealing with a coup d'état were completely different, on the other hand, that their actual responses were usually inconsistent with their own rules and procedures.

Keywords: africa, madagascar, coup d'état, andry rajoelina, marc ravalomanana, labeling approach.

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I. Introduction

On December 13, 2008, President Marc Ravalomanana's government decided to shut down VIVA Television, a private television station owned by Andry Rajoelina, who was then an up-and-coming mayor of the capital city Antananarivo. The reason behind this decision was that VIVA Television aired a few days earlier an interview of former President Didier Ratsiraka, the archrival of Ravalomanana who was living in exile in Paris (France) at that time. However, instead of bowing down to this sanction, Rajoelina defiantly issued a twenty-five day ultimatum to the government to reopen his television station. Otherwise, he would organize street protests. As expected, Ravalomanana's government did not back down from its decision. Consequently, Rajoelina initiated on January 17, 2009, the street protests, dubbed "Orange Revolution," which led to a long period of instability and crisis and ultimately resulted in the overthrow of Ravalomanana and his exile to South Africa.[1]

Indeed, following weeks of violent protests, marked by massive looting (January 26, 2009) and the killing of several protesters by the Presidential Guards (February 7, 2009), a small group of soldiers and officers from the unit known as CAPSAT,[1] based in the military camp of Soanierana (on the outskirts of Antananarivo), started a mutiny on March 8, 2009, which spread quickly to other military camps throughout the country the following days. In the night of March 16, 2009, the mutineers of CAPSAT took control of Ambohitsorohitra, one of the presidential palaces located in the center of the city. The following day, instead of transferring his power to the President of Senate, as provided by the Constitution, President Ravalomanana decided to transfer it to a Military Directorate led by Admiral Hyppolite Ramaroson before fleeing the country to Swaziland and then to South Africa. Nevertheless, by the end of the same day, Admiral Ramaroson and the two members of the Military Directorate were forced by the mutineers to hand over power to Rajoelina, who was quickly sworn in as the President of a High Authority of the Transition (HAT) on March 21, 2009. By then, the great majority of the members of the international community had already labeled and condemned the consecutive and unconstitutional transfers of power as "a coup d'état," and the supporters of Ravalomanana were already organizing daily street protests against the transitional government set up by Rajoelina. Additionally, Madagascar was suspended by regional organizations such as the Southern African Development Community (SADC) and the African Union (AU), and sanctioned by major donors such as the United States (US), the European Union (EU), and the Bretton Woods institutions.

While there seemed to be a quasi-consensus on the application of the label of "coup d'état" in the case of Madagascar in March 2009, the actual responses of each member of the international community in dealing with this case were totally different. For instance, some countries, like China and Turkey, among others, continued to do business with Madagascar as usual; other countries, like the US, categorically refused to recognize what was called "de facto government" of the country and suspended their non-humanitarian aid to the country. In addition, despite the application of the label of "coup d'état" in this case, the ensuing political instability and crisis were treated as a political conflict between, on the one hand, the alleged

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"coup perpetrators," Rajoelina and his supporters, and on the other hand, the alleged "victims of the coup," Ravalomanana and his supporters. As a result, whereas the rules and procedures of the AU banned the coup perpetrators from participating in any government of transition resulting from a "coup d'état," in Madagascar, on the contrary, the transitional government since March 2009 was under the control of Rajoelina and his supporters. Besides, the alleged "victims of the coup d'état" were forced, not only to negotiate but to reconcile with their alleged "persecutors."

This article focuses on the relevant members of the international community that had significant influences on the political and economic development of Madagascar, including the United Nations (UN), the AU, the SADC, the EU, France, and the US. With the exception on the UN, all of these international organizations and states used the label of "coup d'état" in the case of the consecutive and unconstitutional transfers of power in March 2009. In this sense, the main purpose of this article is to analyze how the label of "coup d'état" was used in this case. Specifically, this article attempts to find out whether these members of the international community had standing rules and procedures in dealing with a coup d'état in general, whether they were consistent with their rules and procedures in the particular case of Madagascar, and whether they were able to achieve their policy objectives.

The article relies primarily on the news reports related to the events occurring in Madagascar and published by different local and international news agencies. It also takes into consideration the press releases and official statements made by the official representatives of states and international organizations involved in these events, as well as several studies published by different scholars and think tanks.

II. Conceptual Framework

The labeling approach has been used for some time in other social science disciplines, such as sociology and psychology. However, it was only in the 1980s that some political scientists discovered its usefulness, particularly in the study of the interactions between international donors and developing countries. Indeed, compared to other approaches, the labeling approach allows researchers to ask questions, not only about the labels used by international donnors but also about their motivations in using these labels.

Originally, Howard S. Becker, one of the pioneers of the labeling approach, talks about *labeling* in connection with *social deviance*. As he puts it,

> Social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labeling them as outsiders. From this point of view deviance is *not* a quality of the act the person commits, but rather a consequence of the application by others of rules and sanctions to an 'offender.' The deviant is one to whom that label has successfully been applied; deviant behavior is behavior that people so label. (Becker, 1963: 9)

The main idea from Becker (1963) is that, at the national level, social groups create rules (or codes of conduct) and label *deviants* or *outsiders* those who violate them. This idea also implies that these deviants or outsiders were supposed to be excluded or banned from the groups. Since Becker's publication, other sociologists and psychologists used the labeling approach, which was also known as "interactionist theory of deviance," and came up with other concepts, approaches, and theories, including stigma, stereotyping, discrimination, etc. (among many others, Oboler, 1992; Downs, Harrison & Robertson, 1997; Link and Phelan, 2001; Staum, 2003; Gray, 2010).

In the field of political science in general, and in international relations, in particular, it was only in the 1980s that some scholars have been interested in using the labeling approach. Geoff Wood, one of the pioneers in the use of labeling approach in political science, justified his choice of this approach as follows:

> The purpose of our focus on labelling [sic] is to reveal processes of control, regulation, and management which are largely unrecognized even by the actors themselves. It is our conviction that the significance of labelling has been underestimated as an aspect of policy discourse, and especially for its structural impact (through creation, reinforcement, and reproduction) upon the institutions and their ideologies through which we are managed. Since the process of labelling affects the categories within which we are socialized to act and think, the object of our concern is fundamental rather than peripheral. Of course, it is not a simple matter to prove the significance of such processes. However, it is possible to set out a theory of labelling (and its connection with politics) through which the significance of familiar material can be re-interpreted. (Wood, 1985: 347)

Thus, following Wood (1985), the use of labeling approach in the case of the so-called "coup d'état" of March 2009 in Madagascar allows us to ask questions, not only about this label used by the majority of the members of the international community but also about their motivations in using it. After reviewing the rules and procedures of the relevant members of the international community in dealing with a coup d'état in general, this article analyzes their actual responses in the case of Madagascar to find out whether they were consistent with their own rules and procedures in this particular case and whether they were able to achieve their policy objectives.

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III. The Rules and Procedures of the Relevant Members of the International Community in Dealing with a Coup D'etat

Among the relevant members of the international community that have significant influences in the case of Madagascar, only the AU, the EU, and the US had standing rules and procedures in dealing with a coup d'état in general. In fact, it was the AU's rules and procedures that took precedence in this case, and the SADC (which was in charge of leading the negotiations to end the political crisis starting in June 2009) and the other members of the international community were referring to these AU's rules and procedures.

a) The AU and its "Zero Tolerance Policy" against Unconstitutional Changes of Government

The AU established a tradition of "zero tolerance policy" against unconstitutional changes of government in 1997 with the case of Sierra Leone (African Union, 2000). This tradition has been backed up by three legal documents stating clearly the rules and procedures to follow in case of unconstitutional changes of government, including coup d'état. These documents are:

a. *The Declaration on the Framework for an OAU Response to Unconstitutional Changes of Government* (*AHG/Decl.5 XXXVI)* (July 10-12, 2000),
b. *The Constitutive Act of the African Union* (2000), and
c. *The African Charter on Democracy, Elections, and Governance* (2007).

Until of the creation of the Peace and Security Council in 2002, the Chairman and the Secretary General of the Organization were directly responsible for the determination of the occurrence of a coup d'état, and its condemnation. Thus, as stated in *The Declaration on the Framework for an OAU Response to Unconstitutional Changes of Government,*

> Whenever an unconstitutional change as provided for in the definition of unconstitutional change above, takes place in a Member States, our Current Chairman of the OAU and our Secretary-General, on behalf of our Organization, should immediately and publicly condemn such a change and urge for the speedy return to constitutional order. (African Union, 2000)

If the condemnation and the call for a speedy return to constitutional order failed, the next step for the AU is to impose sanctions not only on the state where the unconstitutional change has occurred but also on the perpetrators of such a change. The main sanction against the state is its suspension from the organization (African Union, 2000). Nevertheless, despite this suspension, the AU expects to maintain diplomatic relations with the state with unconstitutional change. As stated in Article 25 paragraph 3 of *The African Charter on Democracy, Elections and Governance*, "notwithstanding the suspension of the State Party, the Union shall maintain diplomatic contacts and take any initiatives to restore democracy in that State Party" (African Union, 2007, Art. 25, parag. 3).

Furthermore, concerning specifically the perpetrators of the coup d'état, Article 25 of *The African Charter on Democracy, Elections, and Governance* gives the following list of sanctions:

- The perpetrators of unconstitutional change of government shall not be allowed to participate in elections held to restore the democratic order or hold any position of responsibility in political institutions of their State.
- Perpetrators of unconstitutional change of government may also be tried before the competent court of the Union.
- The Assembly shall impose sanctions on any Member State that is proved to have instigated or supported unconstitutional change of government in another state in conformity with Article 23 of the Constitutive Act.
- The Assembly may decide to apply other forms of sanctions on perpetrators of unconstitutional change of government including punitive economic measures.
- State Parties shall not harbour or give sanctuary to perpetrators of unconstitutional changes of government.
- State Parties shall bring to justice the perpetrators of unconstitutional changes of government or take necessary steps to effect their extradition.
- State Parties shall encourage conclusion of bilateral extradition agreements as well as the adoption of legal instruments on extradition and mutual legal assistance. (African Union, 2007, Art. 25)

In practice, according to J. Shola Omotola, the AU's rules and procedures in dealing with unconstitutional changes also include the "deployment of envoys and the constitution of [International Contact Groups] ICGs in redressing the problem" (Omotola, 2011, p. 35). But there is not clear instruction on how these procedures were to be executed in the legal documents.

b) The SADC as a Subsidiary Body of the AU

Contrary to the AU, the SADC has no established "zero tolerance policy" regarding unconstitutional changes of government, nor does it have any legal document stating clearly the rules and procedures to follow in case of unconstitutional changes of government. In fact, according to Gavin Cawthra, "the precursor to SADC, the Southern African Development Coordination Conference (SADCC),

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deliberately excluded explicitly political, and hence peace and security, issues from its agenda, concentrating on economic development" (Cawthra, 2010, p. 10), until the adoption in 2001 of the *Protocol on Politics, Defence and Security Cooperation* (Southern African Development Community, 2001).

However, given the fact that the SADC is considered a subsidiary body of the AU and that all SADC's member states are also members of the latter organization, it can be assumed that the SADC and its member states are obligated to follow the AU's rules and procedures in dealing with unconstitutional changes of government. Thus, as we will see in the next section on the actual responses of the relevant members of the international community in the case of Madagascar, the SADC, and its member states adopted to some extent the AU's rules and procedures.

c) The EU and the Cotonou Accord

The legal framework for the EU in dealing with a coup d'état occurring in a member state of the ACP-EU organization is the so-called "Cotonou Accord" (ACP-EU, 2000). Under this accord, the main procedure consists of dialogue and consultation between the EU and the member state where a coup d'état occurred. If the dialogue and consultation failed, the organization might eventually sanction the member state where the coup d'état occurred. Thus, as stipulated in Article 96 of the of the Cotonou Accord,

> (a) If, despite the political dialogue regularly conducted between the Parties, a Party considers that the other Party has failed to fulfill an obligation stemming from respect for human rights, democratic principles and the rule of law referred to in paragraph 2 of Article 9, it shall,except in cases of special urgency, supply the other Party and the Council of Ministers with the relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties. To this end, it shall invite the other Party to hold consultations that focus on the measures taken or to be taken by the party concerned to remedy the situation. The consultations shall be conducted at the level and in the form considered most appropriate for finding a solution.
>
> The consultations shall begin no later than 15 days after the invitation and shall continue for a period established by mutual agreement, depending on the nature and gravity of the violation.
>
> In any case, the consultations shall last no longer than 60 days. If the consultations do not lead to a solution acceptable to both Parties, if consultation is refused, or in cases of special urgency, appropriate measures may be taken. These measures shall be revoked as soon as the reasons for taking them have disappeared. (ACP-EU, 2000, Art. 96, 2.(a))

Furthermore, concerning the sanction against the state and perpetrators, Article 96 of the Cotonou Accord provides that:

> The "appropriate measures" referred to in this Article are measures taken in accordance with international law, and proportional to the violation. In the selection of these measures, priority must be given to those which least disrupt the application of this agreement. It is understood that suspension would be a measure of last resort. (ACP-EU, 2000, Art. 96, 2.(c))

d) France as a Member State of the EU

The analysis of French government statements on recent coups in Africa (Niger, Guinea, Mali and particularly Madagascar) demonstrates that France does not have rules and procedures in dealing with a coup d'état. In other words, at least at the national level, there is no legal framework that would obligate the French officials to label, condemn or sanction any coup d'état anywhere in the world. This fact led, for instance, Sawyer Blazek to suggest that the French approach to the case of Madagascar in March 2009 has been "pragmatic," as opposed to the "principled approach" of the US (Blazek, 2010).

Nevertheless, since France is a member state of the EU, one can assume that France would follow the EU's rules and procedures. Indeed, as we will discuss below, after adopting what has been described by some observers as "ambiguous position," the French government did, in fact, align its position with that of the EU in labeling and condemning the consecutive and unconstitutional transfers of power in Madagascar as a "coup d'état."

e) The US and its Foreign Aid Policy

Some observers referred to the Foreign Assistance Act (FAA) of 1961, and particularly to its Section 508, as the "foundational legal framework authorizing and defining U.S. foreign aid" (Aziz, July 31, 2013). Although Section 508 of the FAA was repealed in 1973, it was replaced, at least since 1985, by continuing resolutions included in annual foreign operations appropriation legislations, banning assistance to any country in which a coup d'état has occurred (U.S. House of Representatives, & U.S. Senate, 2003). Thus, concerning the fiscal years 2012 and 2013 particularly, Boris Zilberman reports that:

> According to Section 7008 of the FY2012 Consolidated Appropriations Act (P.L. 112-74), aid administered by the State Department and USAID is banned to the government of any country where a military coup or decree has overthrown a democratically-elected government. The Congressional Research Service (CRS) points out that, 'Similar provisions have been included in annual foreign operations appropriations legislation since at least 1985, and have been carried over into FY2013 via continuing resolution.' (Zilberman, July 03, 2013)

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In line with these continuing resolutions, it is the responsibility of the president to determine whether a coup had occurred or not, and also to certify to the "Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office" (Zilberman, July 03, 2013).

f) The UN and its Nonintervention in Internal Affairs of Member States

Since a coup d'état is by definition an internal affair of a member state, the general principle of the UN in dealing with such internal affair is nonintervention. Indeed, as stipulated in Article 2 of Chapter 1 of the United Nations Charter,

> Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter, but this principle shall not prejudice the application of enforcement measures under Chapter VII. (United Nations, 1945, Chap. 1, Art. 2)

Nevertheless, it is worth mentioning that at least since 2005, the UN has adopted the principle of "Responsibility to Protect" (R2P) "to protect civilians from genocide, war crimes, ethnic cleansing, and crimes against humanity by preventing them from taking place or taking remedial action when necessary" (Albright and Williamson, 2013, p. 5). This principle allows the world body to intervene in some cases of internal affairs of member states, but its application has been limited so far.

IV. The Actual Responses of the Relevant Members of the International Community in the Case of the So-Called Coup D'etat of March 2009 In Madagascar

This section analyzes how the relevant members of the international community responded to the particular case of the consecutive and unconstitutional transfers of power in Madagascar in March 2009.

a) The AU's Responses

On March 17, 2009, as the consecutive and unconstitutional transfers of power occurred in Madagascar, the AU issued a statement "condemning what it called an attempted coup d'état" (Burgis, March 17, 2009). The label of "attempted coup d'état" was changed later to that of outright "coup d'état," when the AU decided to suspend Madagascar from the organization on March 20. In the meantime, the AU also called for an "immediate return to constitutional order" (International Crisis Group, 18 mars 2010).

However, despite the labeling and condemnation of what was happening as a "coup d'état," the AU, along with the other organizations which were involved in the resolution of the political conflict since the beginning (the UN, the SADC, and the International Organisation of the Francophonie) decided to resume on May 20, 2009, "the multilateral negotiations seeking to establish a neutral, peaceful and consensual transition in Madagascar" (African Union et al., 22 May 2009). These negotiations, which eventually led to the creation of a transitional government including the alleged perpetrators of the coup d'état (Rajoelina and his supporters), constituted already a flagrant violation of the AU's own rules and procedures, as stated in Article 25 paragraph 4 of the *African Charter on Democracy, Elections and Governance*, which clearly stipulates that: "The perpetrators of unconstitutional change of government shall not be allowed to participate in elections held to restore the democratic order or *hold any position of responsibility in political institutions of their State*" (African Union, 2007, Art. 25 parag. 4).

Furthermore, after the failure of the multilateral negotiations in May 2009, the AU let the SADC to lead the subsequent negotiations (from August 2009 in Maputo to September 2011 in Antananarivo), which resulted in the signature on September 17, 2011, of the *Roadmap for Ending the Crisis in Madagascar* (Southern African Development Community, 13 September 2011). At every step of the negotiations, the AU endorsed not only the SADC's general approach but also every agreement reached by the parties, including the Roadmap, which allowed Rajoelina, not only to stay in power but also to participate in the future presidential elections. Indeed, the Roadmap in its Article 3 clearly states that "Andry Rajoelina is the President of the Transition. In this quality, he exercises the functions of the Head of State." Furthermore, in its Article 14, the Roadmap indicates that the President and the members of the transitional government may participate in the presidential and legislative elections, but they would only have to resign before running (Southern African Development Community, 13 September 2011).

In sum, the facts that the AU negotiated with Rajoelina and his supporters, allowed them to stay in power throughout the transition and participate in the presidential and legislative elections are all violations of the AU's own rules and procedures concerning the perpetrators of unconstitutional changes, as stated in Article 25 paragraphs 4 and 5 of the *African Charter on Democracy, Elections and Governance* (African Union, 2007, Art. 25 parag. 4). It is true that the AU and the other members of the international community managed to prevent Rajoelina from participating in the 2013 presidential election. However, this was based on a technicality (Rajoelina having submitted his application

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Madagascar as "an attempted coup d'état," Kgalema Motlanthe, South African President and chair of the SADC, was still expressing his concern over "the unconstitutional attempts undertaken by the opposition that led to the resignation of the democratically elected president" (Burgis, March 17, 2009). The following day, Zambian Foreign Minister Kabinga Pande told a news conference in Lusaka that "Zambia rejects the unconstitutional change of government in Madagascar" (BBC News, March 18, 2009). Finally, on March 19, 2009, the SADC itself issued a statement condemning "in the strongest terms the circumstances that led to the ousting of a democratically-elected president of Madagascar" (BBC News, March 19, 2009). In the same statement, the SADC also refused to "recognise Madagascar's new leader, Andry Rajoelina, who on Tuesday ousted the democratically-elected president" (BBC News, March 19, 2009). The SADC's early statements seem to indicate that the organization was reluctant to use the label "coup d'état." Nevertheless, similarly to the AU, the SADC also suspended Madagascar from the organization on March 30, 2009 (Lanz & Gasser, 2013), while at the same time calling for "an immediate return to constitutional order" (International Crisis Group, 18 mars 2010).

However, despite the condemnation, nonrecognition, and suspension, the SADC participated in May 2009 in "the multilateral negotiations seeking to establish a neutral, peaceful and consensual transition in Madagascar" (African Union et al., May 22, 2009). As mentioned earlier, these "negotiations seeking to establish a neutral, peaceful and consensual transition," which would include not only the alleged "victims of the coup d'état" (Ravalomanana and his supporters), but also the alleged "perpetrators of the coup d'état" (Rajoelina and his supporters), constituted a violation of the AU's rules and procedures, which ban the perpetrators of the coup d'état from holding "any position of responsibility in political institutions of their State" (African Union, 2007, Art. 25, parag. 4).

Furthermore, as mentioned earlier, the SADC was given the responsibility of leading the negotiations, after the failure of the early negotiations in May 2009. These negotiations led to different agreements (such as Maputo I and II, Additional Act of Addis Ababa and the Roadmap) between the political alliances (known as *mouvances* in French) affiliated with the alleged "victim of the coup d'état" (Ravalomanana), the alleged "perpetrator of the coup d'état" (Rajoelina), and the two former presidents, Didier Ratsiraka and Albert Zafy. Most importantly, in flagrant violation of Article 25 paragraphs 4 and 5 of the *African Charter on Democracy, Elections and Governance*, each one of these agreements allows Rajoelina, not only to stay in power during the transition but also "participate in elections held to restore the democratic order."

c) The EU's Responses

According to news reports, the EU was the first to use the label of "coup d'état" in the case of Madagascar officially. Indeed, on March 19, 2009, one day before the suspension of Madagascar by the AU, Karel Schwarzenberg, Czech Foreign Minister, speaking for the Presidency of the EU, told a press conference that "there was a coup d'état [in Madagascar], it was not a democratic election" (LeMonde.fr, 20 mars 2009). This official statement of the EU was followed the next day by that of the US, which also labeled and condemned what happened as "a coup d'état" (Wood, March 20, 2009).

In the immediate aftermath of this so-called coup d'état, the EU seemed to have followed to some extent its own rules and procedures in dealing with a violation of human rights, democratic principles and the rule of law referred to in Article 96 of the Cotonou Accord. Thus, on May 19, 2009, the EU representatives in Madagascar initiated a dialogue with the transitional government. Following this initial dialogue, the EU representatives issued a statement, in which they gave thirty days to the transitional government to hold a consensual dialogue among all Malagasy political parties, and 120 days to implement the decisions made during this consensual dialogue. The EU's decision to suspend its assistance to the country would depend on the results of this consensual dialogue (Bill, 22 mai 2009). In the meantime, the EU did not participate in "the multilateral negotiations seeking to establish a neutral, peaceful and consensual transition" initiated by the AU, the SADC, the OIF and the UN (African Union et al., May 22, 2009). On the contrary, it held a formal consultation with the transitional government in Brussels in July 2009. At the end of this consultation, the EU refused the proposal presented by the transitional government to resolve the political crisis unilaterally (Iloniaina, 7 juillet 2009).

However, when the SADC became officially in charge of the Malagasy political problem in June 2009, the EU completely put aside its own rules and procedures and deferred the resolution of the political problem to the SADC. As a result, the EU endorsed not only the SADC's approach but also all of the agreements it was able to reach with the Malagasy parties, including the Roadmap of September 17, 2011, which left Rajoelina as the president of the transition and allowed him to participate in the future elections.

d) France's Ambiguous Responses

Being the former colonial power of Madagascar, France has always tried to maintain close diplomatic relations with its former colony since independence in 1960. However, the relations between the two countries deteriorated since 2002, when Ravalomanana came to power.[2] These difficult relations between the two countries in recent years led many observers to suspect

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that France might have been the instigator of the so-called coup d'état of March 2009 (Deltombe, mars 2012). Consequently, the position of France has been scrutinized very carefully by many observers.

The first public statement of the French government on March 18, 2009, did not refer to, nor condemn any "coup d'état" happening in Madagascar (BBC News, March 18, 2009). On the contrary, the spokesperson of France's foreign ministry stressed that "France would continue its aid to the island and maintain its policy of co-operation" (BBC News, March 18, 2009). However, following the meeting of the EU on March 19, the French President, Nicolas Sarkozy, was constrained to align the French position to that of the EU, by referring to what happened as a "coup d'état," and by calling for elections as soon as possible (Lexpress.fr, 20 mars 2009). Nevertheless, in Madagascar, France was seen as the main supporter of the transitional government led by Rajoelina. Indeed, France sent its new ambassador to Madagascar the very next day after the so-called coup d'état, and this new ambassador was the first foreign diplomat to meet with Rajoelina (International Crisis Group, 18 mars 2010).

Furthermore, after aligning its position to that of the EU, France also had to endorse the approach taken by the SADC and every agreement that this regional organization was able to reach with the Malagasy political leaders, including the Roadmap of September 2011.

e) The US' Principled Responses

The US seemed to be the only relevant member of the international community that has been consistent with its initial position in the case of Madagascar. Indeed, after having labeled and condemned what happened as "a coup d'état" (Wood, March 20, 2009), the US announced that it would "suspend all non-humanitarian assistance to Madagascar" (Wood, March 20, 2009). Furthermore, it did not participate in "the multilateral negotiations seeking to establish a neutral, peaceful and consensual transition in Madagascar" (African Union et al., May 22, 2009).

However, these principled responses led the US to hold some contradictory positions. Indeed, on the one hand, the US made different statements supporting the efforts of the SADC in resolving the crisis (Tananews, 07 août 2012). Yet, on the other hand, it disagreed with some of the agreements reached by the regional organization with other actors involved in the resolution of the crisis. For instance, it never recognized the transitional government resulting from the application of the Roadmap, which included representatives of Ravalomanana's political alliances. Furthermore, while the SADC and the AU decided to prevent Ravalomanana and Rajoelina from running for president in 2013, the US issued a statement rejecting this decision (Tananews, 07 août 2012).

f) The UN's Responses

Consistent with its own rules and procedures, the United Nations, as represented by its Secretary General Ban Ki Moon, did not label, nor condemn the consecutive and unconstitutional transfers of power in Madagascar as a "coup d'état" (Lee, March 18, 2009). Nevertheless, the UN representatives in Madagascar participated in "the multilateral negotiations seeking to establish a neutral, peaceful and consensual transition in Madagascar" (African Union et al., May 22, 2009). Furthermore, when the SADC became officially in charge of the Malagasy political problem, the UN deferred the resolution of the political conflict to the SADC, and endorsed not only the SADC's approach, but also all of the agreements it was able to reach with the Malagasy parties, including the Roadmap of September 17, 2011.

V. Conclusion

The use of the labeling approach allows us to think that, in the same as the members of social groups at the national level, those of the international community are also "making rules whose infraction constitutes deviance," and they apply "label" to the "deviant behavior" of some of its members. In the case of Madagascar, the consecutive and unconstitutional transfers of power which occurred on March 17, 2009 were labeled and condemned as a "coup d'état" by the vast majority of the members of the international community. However, the analysis of their existing rules and procedures in dealing with a coup d'état in general along with their actual responses in the particular case of Madagascar reveals that, on the one hand, they had different rules and procedures; and on the other hand, most of the times, their responses in the particular case of Madagascar were inconsistent with their own rules and procedures.

Among the relevant members of the international community which labeled and condemned the consecutive and unconstitutional transfers of power as a "coup d'état," the AU and the EU had comprehensive rules and procedures in dealing with a coup d'état. Nevertheless, these two entities failed to follow their own rules and procedures in the particular case of Madagascar consistently. In this sense, on the one hand, in total violation of the Article 25 of the *African Charter on Democracy, Elections and Governance*, the AU negotiated with those who were supposed to be the "perpetrators of unconstitutional change of government" (Rajoelina and his supporters) and allowed them to stay in power through the whole transitional period; on the other hand, despite the initiation of consultation with the transitional government unilaterally set up by Rajoelina, the EU decided to put aside its own rules and

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procedures and deferred the resolution of the conflict among the Malagasy political leaders to the AU and the SADC.

Finally, the French approach to the case of Madagascar has been diversely interpreted either as "ambiguous" or "pragmatic." That of the US has been seen as "principled," but it led to some contradictions in the end.

References Références Referencias

1. ACP-EU. (2000). Partnership agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part. Retrieved December 22, 2012, from http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2000:317:0003:0286:EN:PDF
2. African Union (AU). (2007). African Charter on Democracy, Elections and Governance. Retrieved August 31, 2013, http://www.au.int/en/sites/default/files/AFRICAN_CHARTER_ON_DEMOCRACY_ELECTIONS_AND_GOVERNANCE.pdf
3. African Union (AU), Southern African Development Community (SADC), Organisation Internationale de la Francophonie (OIF), & United Nations (UN). (22 May 2009). Statement on Transition in Madagascar. Antananarivo, Madagascar.
4. African Union Peace and Security Council, (PSC). (2013). Report of the Chairperson of the Commission on the Evolution of the Situation in Madagascar *PSC/PR/2.(CCCXCIV), 394th Meeting*. Addis Ababa, Ethiopia.
5. Aziz, Sahar. (2013, July 31). U.S. Foreign Aid and Morsi's Ouster. Retrieved August 31, 2013, from http://www.mei.edu/content/us-foreign-aid-and mor-sis-ouster
6. BBC. (18 March 2009). Madagascar court backs handover, *BBC News*. Retrieved from http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/7950183.stm
7. BBC. (19 March 2009). Africans reject Madagascar leader, *BBC News*. Retrieved from http://news.bbc.co.uk/go/pr/fr/ /2/hi/africa/7953617.stm
8. BBC. (2016). Madagascar profile - Timeline, *BBC News*. Retrieved from http://www.bbc.com/news/world-africa-13864364.
9. Becker, Howard S. (1963). *Outsiders: Studies in the Sociology of Deviance*. New York, NY: The Free Press.
10. Bill. (22 mai 2013). Dialogue politique - L'Union Européenne pour un consensus, *Madagascar-Tribune.com*. Retrieved from http://www.madagascar -tribune.com/L-Union-Europeenne-pour-un,11971.html
11. Blazek, Sawyer L. (2010). *Power Struggles and Conflict Recurrence: An Examination of the Political Competition in Madagascar.* (Master of Art), American University, Washington, D.C. Retrieved fromhttp://search.proquest.com//docview/904403563 (UMI Number: 1504737)
12. Burgis, Tom. (March 17, 2009). Madagascar's president steps down, *Financial Times*. Retrieved from http://www.ft.com/cms/s/c82b4e38-12d4-11de-9848-0000779fd2ac,dwp_uuid=a99ba554-4d15-11da-ba44-0000779e2340,print=yes.html
13. Cawthra, Gavin. (2010). The Role of SADC in Managing political crisis and conflict *FES Peace and Security Series*. Maputo, Mozambique: Friedrich Ebert Stiftung.
14. Deltombe, Thomas. (mars 2012). Les fantômes de Madagascar: La France, acteur-clé de la crise malgache *Le Monde Diplomatique*. Retrieved from http://www.mondediplomatique.fr/2012/03/DELTOMBE/47470
15. Downs, William R., Harrison, Larry R., & Robertson, Joan F. (1997). Control theory, labeling theory, and the delivery of services for drug abuse to adolescents. *Adolescence, 32*, 1-24.
16. Gray, Rebecca. (2010, 2010 Winter). Shame, labeling and stigma: challenges to counseling clients in alcohol and other drug settings. *Contemporary Drug Problems, 37,* 685+.
17. Iloniaina, Alain. (7 juillet 2009). Propositions de Rajoelina: L'Union européenne insatisfaite, *L'Express de Madagascar*.
18. International Crisis Group (ICG). (18 mars 2010). Madagascar: Sortir du Cycle de Crises *Rapport Afrique No. 156*. Brussels, Belgium: International Crisis Group.
19. Lanz, David, & Gasser, Rachel. (2013). A crowded field: competition and coordination in international peace mediation *Mediation Arguments*. Hatfield, South Africa: Centre for Mediation in Africa, University of Pretoria.
20. Lee, Matthew Russell. (2009, March 18). As UN on Madagascar Can't Call a Coup a Coup, It Invites Battlestar Galactica, *Inner City Press*. Retrieved from http://www.innercitypress.com/un2malagasy031809.html
21. LeMonde.fr. (2013, March 20). Madagascar : l'Union européenne dénonce un "coup d'Etat". from http://www.lemonde.fr/afrique/article/2009/03/20/madagascar-l-union-europeenne-denonce-un-coup-d-etat_1170316_3212.html
22. Lexpress.fr. (2009, March 20). Madagascar: le camp Rajoelina se défend d'avoir commis un "coup d'Etat". Retrieved March 20, 2009, from http://www.lexpress.fr/actualite/monde/afrique/madagascar-le-camp-rajoelina-se-defend-d-avoir-commis-un-coup-d-etat_748371.html
23. Link, Bruce G., & Phelan, Jo C. (2001). Conceptualizing Stigma. *Annual Review of Sociology*, 363-385.
24. Madagascar-Tribune. (2009, March 19). Réaction française. Retrieved March 19, 2009, from

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http://www.madagascar-tribune.com/Reaction-francaise,11446.html
25. Oboler, Suzanne. (1992). The politics of labeling: Latino/a cultural identities of self and others. *Latin American Perspectives, 19*(4), 18-36.
26. Omotola, J.Shola. (2011). *Unconstitutional changes of government in Africa. What Implications for Democratic Consolidation?* Uppsala: Nordiska Afrikainstitutet.
27. Piccio, Lorenzo. (2013). How have recent coups affected US aid? Retrieved July 9, 2013, from https://www.devex.com/en/news/how-have-recent-coups-affected-u-s-aid/81390
28. Ralambomahay, Toavina. (2011). *Madagascar dans une crise interminable*. Paris: L'Harmattan.
29. Randrianja, Solofo. (2012). Le coup d'Etat de mars 2009, chronologie et causes. In S. Randrianja (Ed.), *Madagascar, le coup d'Etat de mars 2009* (pp. 13-41). Paris, France: Karthala.
30. Randrianja, Solofo (Ed.). (2012). *Madagascar, le coup d'Etat de mars 2009*. Paris, France: Karthala.
31. Randrianja, Solofo, & Ellis, Stephen. (2009). *Madagascar: A Short History*. Chicago. IL: The University of Chicago Press.
32. Ratsimbaharison, Adrien M. (2015). Democratization and armed conflicts in post-cold war Africa (1989-2012). *African Journal of Political Science and International Relations, 9*(12), 404-415.
33. Ratsimbaharison, Adrien M. (2016). The Obstacles and Challenges to Democratic Consolidation in Madagascar (1992-2009). *International Journal of Political Science (IJPS), 2*(2), 1-17. doi: http://dx.doi.org/10.20431/2454-9452.0202001
34. Ratsimbaharison, Adrien M. (2017). From the Failure to Consolidate Democracy to the Recurrence of Political Crises: The Case of Madagascar during the Third Republic (1992-2009) *Civil Wars: Causal Factors, Conflict Resolution and Global Consequences*. New York, NY: Nova Science Publishers, Inc.
35. Ratsimbaharison, Adrien M. (Forthcoming, 2017). *The Political Crisis of March 2009: A Case Study of Conflict and Conflict Mediation*. Lanham, MD: Rowman & Littlefield.
36. Representatives, U.S. House of, & Senate, U.S. (2003). Legislation on Foreign Relations Through 2002. Washington, DC: U.S. Government Printing Office.
37. Retzlaff, Steffi. (2005). What's In a Name? The Politics of Labelling and Native Identity Construction. *The Canadian Journal of Native Studies, XXV*(2), 609-626.
38. Roadmap for Ending the Crisis in Madagascar (13 September 2011).
39. Southern African Development Community (SADC). (2001). Protocol on Politics, Defence and Security Co-operation. Blantyre, Malawi: Southern African Development Community, (SADC).
40. Staum, Martin S. (2003). *Labeling People: French Scholars on Society, Race, and Empire, 1815–1848*. Quebec, Canada: McGill-Queen's Press.
41. Tananews. (07 août 2012). Etats-Unis: Non à la Candidature d'Andry Rajoelina, *Tananews*. Retrieved from http://www.tananews.com/2012/08/etats-unis-non-a-la-candidature-dandry-rajoelina/
42. United Nations (UN). (1945). Charter of the United Nations and Statute of the International Court of Justice. San Francisco, CA: The United Nations.
43. Wood, Geof. (1985). The Politics of Development Policy Labelling. *Development end Change, 16*, 347-373.
44. Wood, Robert. (March 20, 2009). U.S. Condemns Coup d'Etat in Madagascar and Suspends Non-Humanitarian Assistance. From http://www.state.gov/r/pa/prs/ps/2009/03/120714.htm
45. Zilberman, Boris. (2013, July 03). How Egypt's Coup Could Impact U.S. Foreign Assistance. Retrieved August 31, 2013, from http://www.defendde mocracy.org/media-hit/how-egypts-coup-could-impact-us-foreign-assistance/

Notes

[1].The political crisis of March 2009 in Madagascar is analyzed in detail in other publications by the author. See Ratsimbaharison (Forthcoming 2017a, Forthcoming 2017b, and 2016). For more information, see also Randrianja (2012), and Ralambomahay (2011).

[2] CAPSAT stands for "*Corps d'Administration des Personnels et des Services de l'Armée de Terre*" (Army Corps of Personnel and Services Administration). This unit played a key role during the political crisis of March 2009.

[3] There are different reasons explaining the difficult relationships between France and Madagascar under the presidency of Marc Ravalomanana. To begin with, Marc Ravalomanana was not the typical political leader that the French would like for its former colony: he was from the Merina ethnic group, and protestant (the French would have preferred a Cotier and Catholic); he was not educated in France nor at least in the French educational system in Madagascar, and publicly displayed his disdain of the French culture and his preference for the Anglo-American culture. In addition to the cultural differences, many economic interests opposed Ravalomanana with the French. Ultimately, the expulsion of the French Ambassador from Madagascar by Ravalomanana was the culmination of the antipathy between Ravalomanana and France.

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Invulnerability of the Chief Executive and Democratic Sustainability in Nigeria: Issues and Challenges

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Abstract- The debate on the invulnerability of the chief executive in modern democracy has raged on with no end in sight soon. Executive recklessness and impunity seem to have been given a tacit constitutional approval as no criminal proceedings can be brought or continued against the President, the Vice President, the Governor and the Deputy Governor during their tenures in office, though; the provisions do not take cognisance of the statute of limitations as criminal charges could be commenced or continued after the tenures of the holders of these offices. Equality before the law presupposes that the law should apply equally to the rulers and the ruled save for privileges permitted by the Constitution or other law. In the words of that erudite jurist, Lord Denning MR: "To every subject in this land, no matter how powerful, I would use Thomas Fuller's words over 300 years ago 'Be you never so high, the law is above you."1 I. Introduction Based on the above, this paper examines the invulnerability of the heads of executive arm of government in the discharge of their constitutional duties. It x-rays, the origin of sovereign immunity of the chief executives in Nigerian polity; and the effects of invulnerability of the chief executive on the political stability of the nation.

Keywords: executive power, executive invulnerability, immunity, political stability.

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Invulnerability of the Chief Executive and Democratic Sustainability in Nigeria: Issues and Challenges

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Abstract- The debate on the invulnerability of the chief executive in modern democracy has raged on with no end in sight soon. Executive recklessness and impunity seem to have been given a tacit constitutional approval as no criminal proceedings can be brought or continued against the President, the Vice President, the Governor and the Deputy Governor during their tenures in office, though; the provisions do not take cognisance of the statute of limitations as criminal charges could be commenced or continued after the tenures of the holders of these offices. Equality before the law presupposes that the law should apply equally to the rulers and the ruled save for privileges permitted by the Constitution or other law. In the words of that erudite jurist, Lord Denning MR: *"To every subject in this land, no matter how powerful, I would use Thomas Fuller's words over 300 years ago 'Be you never so high, the law is above you."*[1]Based on the above, this paper examines the invulnerability of the heads of executive arm of government in the discharge of their constitutional duties. It x-rays, the origin of sovereign immunity of the chief executives in Nigerian polity; and the effects of invulnerability of the chief executive on the political stability of the nation. The paper concludes with recommendations on the need for modifications in the continued executive invulnerability towards a good governance and sound democratic process.

Keywords: executive power, executive invulnerability, immunity, political stability.

I. Introduction

The immunity conferred on the chief executives by Section 308 of the Constitution[2] has done more harm than good since it has been used by some of the officials concerned as a licence for stealing public funds with reckless abandon.[3]In today's modern democracy, most especially in sub-Sahara Africa, chief executives are deemed invulnerable as their excesses (both civil and criminal) cannot be punished as long as they remain in power. This constitutional provision empowered the chief executives to continuously engage in impunity as long as they enjoy the favour of the legislature. In Nigeria, only the Legislature is constitutionally empowered to commence impeachment proceedings[4] against the chief executive. This can be done only when the chief executive is alleged to have committed a 'gross misconduct.' As long as the chief executive belongs to the same party with the legislators, 'gross misconduct' is subject to the interpretation of the legislators. As a matter of fact, impeachment has become a political vendetta most especially, in Nigeria.[5] In other worlds, there are no objectives and generally recognised and acceptable criteria to determine what constitute gross misconduct.

In a federal system of Government, there are three arms of government as provided for in the Constitution.[6]The three arms of government are independent and autonomous[7] and enjoy some degree of autonomy in the discharge of their official duties. It is worthy of note that only the head of the executive (the President, the Vice President, the Governor and the Deputy Governor) enjoy invulnerability (constitutional immunity) as no criminal proceeding can be continued or instituted against them while in office as the chief executive. Other arms of government only enjoy immunity in the discharge of their constitutional duties. This, however, does not shield them from facing criminal trials[8] while holding the office. "Immunity from damages whether absolute or qualified represents a sharp departure from the principle that persons are responsible for the harm they inflict upon one another and that the victims may seek compensation from the perpetrators."[9]The practice in modern societies of

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[2] (1977)1 QB 729 at 761-762
[3] 1999 Constitution of the Federal Republic of Nigeria (as amended),
[4] Sovereign Immunity and Governor DSP Alamieyesiegha available on www.segundawodu.com accessed on Thursday, 21st January, 2016.
[5] Section 143 and Section 188 of the Constitution of Federal Republic of Nigeria. 1999 (as amended)
[6] Governor Ladoja of Oyo State, Peter Obi of Anambra State, Joshua Dariye of Plateau State and MuritalaNyako of Adamawa State are few of the victims of unlawful and unjust removal of the chief executives simply because they fell apart with their political god fathers.
[7] Sections 4,5 and 6 of 1999 Constitution of Federal Republic of Nigeria (as amended) provides for Legislative, Executive and Judicial powers of government.
[8] Though, this may be so in theory alone. Instances abound in Nigeria where the President would hound the head of the legislature and engineer its removal.
[9] The on-going trial of the Senate President in Saraki v. Code of Conduct Bureau is a case in point.
[10] Doyle J. in Mason v Melendez 525 Supp 270 at 275 (US) C.T. Winconsin 1981 available on https://www.law.justia.com/cases/federal/district -courts/F. Supp/525/270

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making provisions for restriction of legal proceedings against the chief executive of a nation has been said to be a functionary mandated incident of the president unique office.[10]

Section 308 of the 1999 Constitution of the Federal Republic of Nigeria provides:

Notwithstanding anything to the contrary in this constitution, but subject to subsection (2) of this section-

a) No civil or criminal proceedings shall be instituted or continued against a person to whom this section applies during his period of office;
b) A person to whom this section applies shall not be arrested or imprisoned during that period either in pursuance of the process or any court or otherwise; and
c) No process of any court requiring or compelling the appearance of a person to whom this section applies shall be applied for or issued provided that in ascertaining whether any period of limitation has expired for the purposes of any proceedings against a person to whom this section applies, no account shall be taken of his period of office.
d) The provisions of subsection (1) of this section shall not apply to civil proceedings against a person to whom this section applies in his official capacity or to civil or criminal proceedings in which such a person is only a nominal party.
e) This section applies to a person holding the office of president or vice president, Governor or Deputy Governor and the reference in this section to "period of office" is a reference to the period during which the person holding such office is required to perform the functions of the office.

In order to preserve the rights of a plaintiff to sue any of these officials, it is provided that the statute of limitations will not run against a claimant until the expiration of the term of office of the official concerned.
By the provision of the immunity clause, it is almost impossible to do anything to an incumbent governor, his deputy, President and his vice president even, if then openly and brazenly commit an offence[11]. The governor of a State remains above our laws and is immune to prosecution for any type of offence while his tenure lasts.[12]The section 308 did not attract much attractions and concern until the governors in the Fourth Republic began to hide under the cloak of immunity clause to commit brazen and wanton corruption[13] and intimidation of political opponents.

Igbinedon Asabor[14] succinctly captures the executive recklessness and invulnerability when he posits thus:

> *The use of protective shield of constitutional immunity as a legitimate instrument and defence of corruption and money laundering by crooks masquerading as public officials in the dubious game of theft and unlawful transfer of common wealth into personal purse has gained a proportion so alarming and frequency so outrageous that the very concept of governance in Nigeria needs a critical characterisation. In reality, the clause has created a class that is above the law, a class that perpetuates evil in the office through corrupt practices and bad leadership, consequently leading to the abuse of the clause.*

Based on the character of Nigerian chief executives in the usage of immunity to perpetuate and inflict pains on their perceived enemies, the intent of the equality before the law which was vehemently argued and propounded by Albert Venn Dicey appears to have been defeated.

Akinwumi O,[15] while justifying the rationale for the inclusion of immunity clause in the 1963 and 1979 Constitutions of the Federal Republic of Nigeria posits thus:

> *To ensure the inviolability and dignity of the offices of the chief executives, the need to put in place what guarantees and safeguards this protection under section 308 of the 1999 Constitution cannot be over-emphasised. If Presidents were obligated to justify legally each contestable action of the executive branch, they would be subjected to intolerable control and inspection by a supposedly coordinate branch and would be burdened by countless impediments to effective action. Even, if criminal action charges are brought against a President, there are several conceptual problems*

Justice Powel in Nixon v Fitzgerald,[16] summed up the importance of invulnerability of the chief executives as follows:

1. The President cannot make important and discretionary decisions if he is in constant fear of civil liability; and

[11] Nixon v. Fitzgerald 457 U.S. 731 at 749, (1982) in Mowoe K.M, Constitutional Law in Nigeria. Malthouse Press Limited, Lagos, 2008 at 140

[12] Senator IyiolaOmisore, former deputy governor of Osun State could not be arrested and tried for his alleged involvement and complicity in the murder of Chief Bola Ige, former Attorney General of the federation because the former enjoyed immunity. He was only arraigned in court after he had been impeached.

[13] YusuphOlaniyonu: 1999 Constitution: Between Section 188 and Section 308. Available at http://www.segundawodu.com/olaniyonu Accessed on Wednesday, 13th January, 2016.

[14] Sovereign Immunity and Governor DSP Alaieyeseiga available http://www.dawodu.com/ijalayeAssessed on Wednesday 13th January, 2016.

[15] Asabor I, Immunity in International Law, The Vanguard Newspaper, Nigeria (2, October, 2002) 17

[16] Immunity Clause Under the Nigerian 1999 Constitution (as amended): a Curse or Blessing? Available on www.academia.edu accessed on Thursday, 21 January 2016

[17] Supra

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2. Diverting the President's time and attention with a private civil suit affects the functioning of the entire federal government thereby abrogating the separation of powers mandated by the constitution.

II. Background to the Study

Immunity predates colonialism in Nigeria. Ever before the advent of the colonial master, Yoruba ethnic region in the South western Nigeria had a monarchical structure which was identical with the British monarch. Kingship in England can be traced to the Anglo- Saxon period. There was a time when the king could do whatever he pleased in that he was absolutely absolute in the affairs of the state. His will was law. The king in the Yoruba land is adjudged to possess absolute power and highly revered. He is referred to as "*alaseekejiorisa*" meaning "His majesty whose power is akin to the gods." It was generally believed that the king could do no wrong and that he wielded enormous and unlimited power as he could acquire land, and even women belonging to other men and no one could challenge his authority.

At the termination of colonialism in 1960, Nigeria inherited the English common law and the doctrine of sovereign immunity from Britain. Under the doctrine, it is presumed that the king can do no wrong, he lacks capacity of doing wrong and kings must not and was not allowed to do wrong.[17] The doctrine, as it is understood today, is one of the vestiges and relics of colonialism in this part of the continent. The statement that the king can do no wrong means that the king of England cannot be held responsible for anything done in his name. The reason for this is that no order of the king is effective unless and until it has been countersigned by the parliament, despite that the king is responsible for its order.

It is unfortunate that in the pre-colonial Africa, the kings enjoy such prestige and unquestionable show of powers and paraphernalia of office. In other words, the kind of power and immunity which traditional rulers wielded in the past had been eroded drastically in this modern era. They had been unclad of prerogatives and immunities and anyone caught in a despicable act would be prosecuted.[18]

The doctrine of immunity which shields the President, the Vice President, the Governor and the Deputy Governor evolved from the history of Nigerian traditional political system and monarchical system in England. However, the doctrine has been a subject of abuse in the recent times when the Governors were engaged in brazen and unabashed looting of the treasury[19], abuse of citizens fundamental rights, disregard for the rule of law and wanton killings.

III. Statement of the Problem

The American model of presidential system of government adopted in Nigeria has not been practised as it is practised in America. The American and other developed models of presidential system of government have not made their chief executives above the law as it is currently practised in the Nigerian presidential system through the introduction of the immunity clause that has shielded the executives from prosecution irrespective of any unconstitutional act or misdemeanour committed by them before or during their tenure as chief executives. The United States of America constitution does not confer widerange immunity on her federal and state executives from investigation and prosecution.

The Nigerian constitution allows only for the investigation of the executive without prosecution, even if found guilty of the alleged offence. But the unanswered question is "what purpose and benefit is the investigation without prosecution?" Immunity of this sort negates the principle of equality before the law, which is the central thesis of the rule of law. The concept of the rule of law is based on the principle of equality before the law, and is against undue privileges and discrimination in the society. The immunity clause as contained in the Nigerian constitution legally raises the executive above the law and the state.

The constitutional provision enables the executives to dominate and exercise undue influence on the other two arms of government inspite of the constitutional provision of separation of power which should ordinarily allow and encourage checks and balances among the arms of government.

This study observes that shielding the executives from prosecution when in office has been counterproductive in that it empowers them to commit heinous crimes while in office. Through this, the public has subsequently been prevented from questioning their excesses while in office in that any attempt to do so is usually perceived as an attempt to divert the attention of the executive from the serious task of governance. It is important to note that sitting presidents and governors in history have been prosecuted for their excesses without undue legal coverage of immunity. For example, President Bill Clinton of the United States of America was investigated and found guilty of improper relationship with Monica Lewinsky, President Andrew Johnson was investigated and indicted of power abuse and was impeached in 1868; President Richard Nixon was investigated and indicted for misuse of power and obstruction of justice. Also, at the state level, Governor James Ferguson of Texas was indicted for financial

[18]Ibid.

[19]The Alowa of Ilowa in Osun State was arraigned before a Magistrate's Court for an alleged rape of a youth corps member in his domain. It the monarch was found guilty, he would be sentenced accordingly.

[20] Federal Republic of Nigeria v. James Ibori (Unreported: Suit No. FCH/ASB/IC/09

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misappropriation and embezzlement whereupon he got impeached. Governor Evan Meachanalso in America was investigated, indicted and impeached. Also, Governor John Walton of Oklahoma was investigated, indicted and impeached. All the above examples are from the United States of America, the model of democracy and presidential system practised in Nigeria. Interrogating immunity viz-a –viz the powers of executive in Nigeria politics/political system reveals a scenario of an over powerful executive that is usually protected by the cloak of immunity while in office. This practice is not only seen as counterproductive, but is such that has promoted executive recklessness and abuse of powers to the extent that the executive not only dominate governance, but at times usurp the powers of the other two arms of government.

However, consequence to this, the heat often generated by public criticisms and the subsequent government reactions, in some cases do lead to political instability and unnecessary diversion of government attention from serious task of governance. Under this condition, it is doubtful if the much–sought–after dividend of democracy by the masses and national development can be realised.

IV. Historical Background of Immunity Clause

Immunity has been described as the exemption of a person or body from legal proceedings or liability.[20] The idea of immunity is said to have evolved in the old feudal structure of England[21].where the king was the head of the community, the leader and the judge. It was, therefore, inconceivable and unimaginable that the king who doubled as the chief judge and the embodiment of justice in his realm be accused, sued, docked or imprisoned by any court in his domain. This belief goes beyond the principles of natural justice that a man cannot be a judge in his own cause but in the fact that the very thought of bringing the king to justice defied rational analysis as the king was the law and the law was the king.[22]This automatically made the king not only to be seen as above the law but also made him to act above the law.

It should be noted that the King held court, heard cases and gave judgment. He could not be sued in his own court, as there would be no one to hear it. Legal process did not lie against him. He was, therefore, immune from legal action and liability.

From time immemorial, the King or Queen was the first common law judge, hence he/she was immune from legal action. This has been expressed in the Latin maxim *rex non protest peccare* meaning "*The King can do no wrong*." The English doctrine of sovereign immunity has a chequered history which is rooted in antiquity.

In 1397, the House of Commons denounced the scandalous financial behaviour of King Richard II. However, the member of the House who led the debate was sentenced to death for public humiliation of the king. Though, the sentence was set aside, the incident set the stage for a bill on parliamentary immunity and in 1689, the bill of rights Article 9 granted that "the freedom of speech and debates or proceedings in the parliament ought not to be discussed or questioned in any court or place outside the parliament."[23] Thus this began the era of formal insertion of immunity clause in laws.

In 1812, the doctrine of immunity received judicial recognition by the U.S. courts in the case of Schooner Exchange v. M. Faddon[24] when the court ruled that foreign states had absolute immunity from the jurisdiction of a U.S. court for any act.

Over the years, there had emerged various forms and dimensions of legally recognised immunities ranging from transactional immunity which grants immunity to the witness from prosecution for offence to which his compelled testimony relates to official immunity from law suits. Other types of immunities are: functional immunity, diplomatic immunity, parliamentary immunity and judicial immunity.

Immunity clause took its root from the Nigeria colonial experience. Immunity for chief executive was first provided for in Section 161 of the 1963 Republican Constitution of Nigeria which provides as follows:

1(a) no criminal proceedings shall be instituted or continued during his period of office against a person to whom this subsection applies and (b) such a person shall not be arrested or imprisoned during that period either in pursuance of the process of any court or otherwise and (c) no proceeding in which relief is claimed against such a person in his capacity shall be instituted or continued in any court during his period of office but in ascertaining whether any proceeding against a person to whom this subsection applies, his period of office shall be left out of account (2) Subsection (1) of this section applies to a person including or required to perform the functions of the

[20]EseMalemi, Administrative Law Cases and Materials (2006) Grace Publishers Inc. Lagos, p251.

[21] The feudal system was a social system which developed in Western Europe in the 8th and 9th centuries, in which people served a Lord in their community by working and fighting for him and in exchange were supported and given land and protection. The Lords were in turn responsible and owed allegiance to the king who was at the apex of the feudal system.

[22]Oluyede P.A.O, Constitutional Law in Nigeria (2008), Evans Brother Limited Nigeria Publisher, Lagos, p 466 cited in Adekunbi Johnson Odusanya, The Role of Constitutional Immunity of The Executive in The Sustenance of Democracy: Nigeria as a Case Study (2015)Ekiti State University, Ado Ekiti Law Journal, Volume 6, 374-376.

[23]The Guardian outlook, Sunday, February 24, 2008. Kingsley Ogbona, Immunity: Protecting Democracy not Kleptocracy cited in Adekunbi Johnson Odusanya, The Role of Constitutional Immunity of The Executive in The Sustenance of Democracy: Nigeria as a Case Study (2015)Ekiti State University, Ado Ekiti Law Journal, Volume 6, 374-375.

[24] (7 Cranch)116 3L. Ed 287. (1812)

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office of the president or of the Governor of a State and in that subsection period of office means, in relation to such a person, the period during which he hold or is required to perform the function of the office in question. Section 267 of the 1979 Nigerian Constitution has similar provision in respect of invulnerability of the chief executive. Interestingly, section 320 of the aborted 1989 Constitution contains immunity clause similarly worded like section 267 of the 1979 Constitution.

However, as general as this blanket immunity may be, there are some exceptions:[25]

a. They may be sued in their official capacity
b. They may be sued as a nominal party in an action
c. They may be impeached (in case of the President or Vice President) by the National Assembly (and in case of the Governor and Deputy Governor) by the State House of Assembly
d. They may be sued in an election petition[26]
e. They are not immune from police investigation[27]

V. Cases and Legal Decisions

This section briefly highlights concrete instances in Nigeria where the immunity clause had been invoked in different cases and courts. It is worthy of note that the issue of executive immunity in Nigeria pre-dated the 1979 Constitution. It was accorded due recognition and maximally used during the military regime in Nigeria. In the case of Ebun Omoregie v. Col. Samuel Ogbemudia,[28] the plaintiff instituted an action against the defendant, a military governor, in his private capacity. The court, declining submits that it had no jurisdiction to hear the case held as follows:

> "*The provision of Section 161(1)(c) and (2) of the Constitution (1963) makes it obligatory that no proceedings in which relief is claimed against the governor of any State in the federation in his personal capacity shall be instituted or continued in any court during his period of office" Per Begho CJ.*

In the case of Colonel OluRotimi & Ors v. Machregur,[29] while considering Section 161 of the 1963 Constitution, the Supreme Court held that the action instituted against the plaintiff, the then military Governor of Western region of Nigeria in his personal capacity for declaration of the title to land cannot be maintained against him. The Supreme Court agreed with the learned counsel to the defendant (the Governor) when he submitted by virtue of Section 161(1)(c) of the Constitution of the Federal Republic of Nigeria, 1963, the court could not give judgment against the first defendant, that it was not necessary for him to plead that section of the constitution which though purports to confer a private right or privilege or immunity because it is evidently a matter of public policy embodied in a public Act or legislation of which the court is bound to take judicial notice and which could not by the incumbent of the office concerned be waived. This was also the stand of the court in the case of Samuel Igbe v. His Excellency, Professor Ambrose Alli, Governor of Bendel State of Nigeria & 1 other.[30]

In Sultan Alhaji Ibrahim Dasuki v. Brigadier General Yakubu Muazu, the appellant was the erstwhile Sultan of Sokoto. He sued the respondent who was the military Administrator of the State. According to the appellant, on the 20th of April, 1996, the respondent invited him to his office as the Military Administrator of Sokoto State. On arrival, a letter terminating the appointment of the appellant was handed over to him. The appellant was led through a side door to a waiting vehicle which took him to the Airport, from where he was flown to Yola and driven to Jalingo.

At theSokoto Airport, on the above mentioned date, the appellant who was over 70 years of age and hypertensive, requested to be allowed to send for his drugs which were in his personal travelling brief case. He was obliged. The brief case was collected from his family but was not delivered to him.

On the 28th of July, 1988, after his release from detention, the appellant wrote to the then Commissioner of Police, Sokoto State for the return of his brief case. The Commissioner of Police admitted that the brief case was delivered to him at the Airport after the Aeroplane had taken off but that from the enquiries made from the Sokoto State Government, Sokoto Police Command and State Security Services, the whereabout of the briefcase was only known to the respondent.

According to the appellant, the contents of the briefcase were personal documents, foreign currency, drugs and other valuables. He, therefore, prayed the court for an order directing the respondent to return to him, those items; in the alternative, the payment of the sum of ten million Naira (N10,000, 000.00) as special and general damages.

The respondent filed a preliminary objection to the action basically on the ground that he was at that time, the Military Administrator of Sokoto State and as such, he was acting in official capacity as in the instant case. He placed reliance on the provision of Section 267 of the 1979 Constitution.

After canvassing arguments in respect of the preliminary objections, the trial court in its ruling, held that the action was instituted against the respondent in his personal capacity for acts done in his official capacity as such, the court had no jurisdiction to

[25] Femi Jemilohun:Government Liability in Nigeria in Essays on Administrative Law in Nigeria, Petoa Education Publishers, Ado Ekiti, Nigeria
[26] See generally EseMalemi Cases and Materials on Administrative Law
[27] Fawehinmiv.IGP (2000)7 NWLR p.482
[28] (1973)3U.I.L.R. 115
[29] (1974)II SC 133
[30] (1981)1NCLR 124

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entertain the matter as the respondent enjoyed immunity from judicial proceedings under Section 267(2) of the 1979 Constitution or Section 308 of the 1999 Constitution.[31]

On appeal, the Court of Appeal held that the immunity from judicial proceedings provided under section 267 of the 1979 Constitution or 308 of the 1999 Constitution is merely to protect a person from harassment of his person while in office for his action done in private capacity. It would not apply where as in the instant case, the respondent is claiming it on the ground of official act. It is manifest that the respondent had left office when the writ was issued. The respondent could not by claiming that he acted in his official capacity, claim immunity from legal process under section 267 or 308 of the 1979 or 1999 Constitution. The section only protects acts done in personal capacity while the person is in office at the time the writ is issued. It does not apply when the action complained is official.[32]

In the cases of Victor Olabisi Onabanjo v. Concord Press of Nigeria[33] and Tinubu v. I.M.B. Securities Plc,[34]one of the issues for determination was whether section 267 of the 1979 constitution and section 308 of the 1999 constitution respectively constitute disability, disentitling the incumbent from suing as plaintiff in their personal capacities. In Tinubu v. I.M.B. Securities Plc,[35]the court of appeal adjourned the case until the respondent who was Governor of Lagos State shall have vacated the office. The fact of the case was that the appellant by a letter, requested the 1st respondent to investigate the alleged crimes committed by Bola Ahmed Tinubu, the former Governor of Lagos State in pursuant to section 4 of the Police Act.[36] The respondent declined the request on the ground that section 308 confers immunity on the holder of the office from Police investigation. The appellant, thereupon, took an originating summons against the respondent to investigate the Governor. The Supreme Court held per Uwaifo J.S.C that:

> *"A person protected under Section 308 of the 1999 Constitution, going by its provision, be investigated by the Police is, in my view, beyond dispute. The police have discretion whether or not to conduct investigation into any allegation of crime made to them. And the court will not interfere if on the fact of a particular case, the discretion is properly exercised. There is therefore, nothing in section 4 of the Police Act which denies the police of any discretion whether or not to investigate any particular allegation, or when they decide to investigate, to do so to its logical conclusion"*[37]

Also, in the same case of Tinubuv.I.M.B Securities Plc, the respondents by a writ of summons instituted on 26th November, 1992 claimed N2.5m from the appellant, being the credit facility he guaranteed in favour of the 1st defendant. During the pendency of the appeal at the Court of Appeal, the appellant was sworn in as Governor of Lagos State on 29th May, 1999. The respondent applied for an adjournment of the appeal sine dine until such time as the appellant would cease to hold office as Governor of Lagos State, having regard to section 308. The appellant opposed the adjournment on the ground that section 308 does not prevent him from prosecuting his appeal or instituting the action. The Court of Appeal granted the respondent's application and adjourned the appeal sine dine until the appellant vacate the office of Governor of Lagos State.

The Supreme Court on the order of sine dine, per Kutigi, J.S.C. stated inter alia[38]:

> *Following Rotimi& 2ors v. Macgregor, I have no hesitation in coming to the conclusion that the Court of Appeal rightly declined to entertain the appellant's appeal pending before it, thus, giving effect to the mandatory provision of section 308 of the Constitution above. But the Court of Appeal was wrong when it proceeded to adjourn the appeal sine die instead of striking it out. The appeal certainly cannot be continued during the appellant period in office. A proper order striking out the appeal will therefore have to be substituted for that of an adjournment.*

In Victor Olabisi Onabanjov. Concord Press of Nigeria Ltd.,[39] the plaintiff, Governor of Ogun State of Nigeria, in his personal capacity sued the defendant, publishers of the Concord Newspapers claiming damages for libel. The defendant raised objection to the jurisdiction of the court, saying that since the Governor cannot be sued in his private capacity while in office, it is inequitable and unconstitutional for the Governor to sue other persons in his private capacity, on the ground that the supreme purpose of the Constitution is the principles of freedom, equality and justice. Kolawole J held that the plaintiff can sue in his personal or private capacity. Under section 267 of the 1979 Constitution, it is expressly stated that the plaintiff, being a governor cannot be sued in his personal or private capacity; nevertheless, the Constitution is silent on the duty of a court of law to fill in any gap in the Constitution. Since a Governor is not expressly incapacitated by any

[31]Obih v. Nbakwe (1964) I SCMLR. P.431
[32]Op Cit.
[33] (1981)2NCLR 399
[34] (2001)16NWLR (Pt.740))640-670
[35] supra
[36] Cap P19, LFN 2004
[37](2000)7NWLR (Pt.665)533 Par. B-H
[38] Supra
[39] Op cit

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provisions of the Constitution, the Governor can sue in his private and personal capacity.[40]

In Duke v. Global Excel Communications Limited,[41]the respondent who was the executive Governor of Cross Rivers State at the material time, instituted an action in the High Court of the State against the appellant for a libellous publications in the Global Excellence Magazine. Upon the service of writ of summons, a conditional appearance was entered on behalf of the appellant who filed a notice of preliminary objection based on the provisions of Section 308 of the 1999 Constitution, challenging the jurisdiction of the court to entertain the matter. He argued that in line with the immunity enjoyed, the Governor cannot institute an action against the appellant. Swayed by this submission, the court held that the Governor cannot sue or be sued in his personal capacity.

However, on appeal, following the decision reached in Tinubu v. I.M.B Securities Limited,[42] the Court of Appeal upturned the decision and held that the Governor though enjoys immunity both in his personal and official capacity, he can nonetheless sue in his personal capacity. The Supreme Court also upheld the decision of the Court of Appeal.

In Aper Akuv. Plateau Publishing Company Limited,[43]the plaintiff instituted a libel suit against the Governor of Benue State in Nigeria in his personal capacity against the defendants. Deciding on the case, AdesiyunCJ, held that Section 267 of the 1979 Constitution gives a Governor immunity in his personal capacity while in office as Governor but does not disable him from bringing legal proceedings against other persons while in office as Governor. If the Constitution wants to prevent a Governor from suing in his private capacity, it should have so provided. It is the duty of a court to interpret the Constitution as it is and not the duty of the court to amend it. The power to amend the Constitution lies with the National Assembly.[44]

In the United States Constitution, there is no express provision granting immunity to the President, but it has been held that he is beyond the reach of judicial direction 'either affirmative or restraining, in the exercise of his powers, constitutional, statutory, political or otherwise' except where it is ministerial.[45] In the United States v. Nixon,[46] the court held the President amenable to a subpoena to produce evidence for use in a criminal case despite the general immunity. It noted "neither the doctrine of separation of powers, nor the need for absolute, unqualified presidential privilege of immunity from judicial process under all circumstances"

[40] Op cit
[41] (2007)1 WRN 63, 85-88
[42] Supra
[43] (1985)6 NCLR 338
[44] Op Cit
[45]Mississippi v. Johnson 4 Wall. (71 U.S) 475 (1867)
[46] 418 U.S. 683 (1974) quoted by K.M. Mowoe ibid.

All these exemptions are enjoyed by the chief executive during their tenure in office.[47]

VI. Effects of Executive Invulnerability on Political Stability

The original intention for the inclusion of immunity clause in the Nigerian constitution was done in good faith but politicians have used the clause to their personal advantage and to the detriment of democracy and national development. Hence, the constitutional provisions and the subsequent application of immunity have become a threat to political stability and democratic growth in Nigeria.

The constitutional clause gives the Chief Executives both at the federal and state levels too much powers and allows them to commit all manners of atrocities (civil and criminal) and get away with them since they cannot be sued or tried in court during their tenurein office. For example, the personal account of a serving governor in Ekiti State, Mr Ayodele Fayose was frozen on 28th June, 2016by the Economic and Financial Crime Commission (EFCC) after conducting investigation on the governors' source of income.

Executive immunity in an emerging democracy is essential for the growth of the system; but it is inimical to the stability of the system as a result of lack of adequate political culture among the political gladiators in the polity.

Considering the importance of democracy in the development of the contemporary world, it becomes important to device a means for its sustainability, hence the introduction of immunity for the chief executives at both the federal and state levels. The clause is to guard against diversion of any kind of the attention of the executive from performing their official assignments. For instance, without immunity, it will be possible to sue executives for their actions and inaction in the process of governance and in some situations might require the presence of the executive in the law court to give evidence and by so doing, valuable time required by the executive for governance will be lost. In other words, the stability of new democracy requires adequate concentration devoid of any sort of distraction, hence the need for the introduction of immunity in the constitution.

Generally, immunity allows for the proactive policy formulation and implementation. The clause legally empowers the executive to take action or make policy statement in situations where there are life threatening challenges, such as outbreak of diseases, natural disaster, terrorist invasion, war, among others.

The occurrence of any of the above listed and others may not allow for legislative meeting and

[47]AkinwumiOgunranti: Immunity Clause Under the Nigerian 1999 Constitution (as amended); A Curse or Blessing. Available on www.academia.edu accessed on Monday, 18th January, 2016.

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deliberation to take place. In a bid to guard against such situations from getting out of hand, the executive is constitutionally empowered to take action in the interest and on behalf of the country. An example of the exercise of such power was the invasion of Odi village in Bayesa State and Zakin Biam in Benue State, Nigeria, during the administration of Chief Olusegun Obasanjo when soldiers were being killing wantonly while on official duties. It allows for continuity of government policies and programmes. The fact that the constitution has restrained individuals and groups in the country from instituting a legal action against the chief executive will to a great extent safe guard the executive to complete its tenure in office. However, this can only happen when the legislature has not considered any of the actions of the executive as against the constitutional provision, which constitutes impeachable offence.

The constitutional provision of immunity was with the intention of guiding and nurturing the ailing system of government to maturity in such that there will be no diversion to the process governance. In addition to this, it will aid accelerated development of the various institutions of democracy to the level that the system can be self-regulating.

Having glowingly talked on the significance of granting immunity to chief executives, it is essential to note that for reasons which cannot be exhausted here, scholars and public analyst have argued for the outright removal of the clause from the constitution of the Federal Republic of Nigeria.

First, it allows for impunity and recklessness on the part of the executive. Because the chief executives cannot be sued for their action either for satisfying personal interest or that of other individuals such as close allies, godfather and political party stalwarts among others, they embark on actions that are not constitutional. Such actions include arbitrary termination of tenure of appointment of individuals who are not in their political good book, appointment of caretaker committee to oversee the administration of local government; formulating and enforcing personal policy as government policy that are meant to punish their perceived political enemies, non-compliance with the rulings of the judiciary mostly when the judgement is against their actions, etc.

Second, it is believed that immunity breeds corrupt leaders. Going by the submission that absolute power corrupts absolutely, immunity empowers the executive to exercise absolute powers on their subjects and still be shielded by the law. The corrupt acts that can be perpetuated by the executive are numerous. Therefore, all actions and inactions of the executive that is motivated for benefit or otherwise, such as punishment of perceived political enemies are corrupt acts.

Furthermore, it is a temptation for the executives that lack political education and culture. This simply means that chief executives without the proper political culture and political education such that can make them have the understanding that, they are only holding the position they occupied in trust for the electorates.

The need for comportment and maturity in conducting government business with all seriousness is requires for the benefit of the citizens irrespective of their religious beliefs, political affiliation, ethnic origin, social status in the society among other factors.

The last but not the least, immunity encourages abuse of power by the executives. Any action of the executive that is not in the interest of the general public and also lies outside the deliberation and approval of the legislature can be regarded as an abuse of power. The tendency for utmost usage of power is inherent in every human being like the traditional rulers in Nigeria in the pre- colonial era. Any power without adequate regulation will be recklessly utilized to the advantage of whoever is exercising such powers. There are many instances in the Nigerian democratic system where the chief executives had refused to comply with the rulings of the judiciary. They forget that the judiciary is the third arm of government that is constitutionally empowered to exercise judicial control over other arms of government in order to ensure the stability of the system.

The above negative effects of immunity are as a result of lack of political maturity by the leaders, absence of democratic political culture as against autocratic and dictatorial culture that the Nigeria political leaders exercise which may be a product of both military incursion into Nigerian political system and the process of Nigerian traditional political system. For example, the ranks and files of the military obey the last order of superior officers. Also, in the Nigerian pre-colonial traditional political system, once a king is enthroned nobody dethrones such unless death or when the misdemeanours of such king have become unbearable to the general public. At that level, the king is forced to commit suicide.

In the light of the level of corruption involving the executives, one wonders if the immunity has unintentionally served as incentive for corrupt practises.

VII. Concluding Remarks

It has been shown from this discourse that executive immunity is a veritable tool that is originally intended to provide the avenue for the executives to perform their constitutional roles effectively and with utmost freedom devoid of any distraction. However, nowadays, while considering the high level of corruption involving the executives, one wonders if the constitutional provision is not being used as a veritable tool shielding the executives for corrupt practises.

As a result of the importance of immunity and the need for development in an emerging democracy, it is therefore recommended that the immunity under

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section 308 (1) (a) of the Nigerian constitution should not be absolute. This can be achieved through separation of powers among the three arms of government so that the arms of government will be alive to their constitutional responsibilities.

We will equally like to suggest that the immunity granted to chief executives should not be total. In other words, offences such as murder, looting of treasury, perjury, giving false information such as false asset declaration etc should not be covered by immunity. Since the above listed conducts while in office were not, ipso facto intended to be protected by the framers of the constitution, therefore, they should not come under the protection of immunity. The executive can be tamed by the legislature through impeachment or by another constitutional provision through another institution of government- the Code of Conduct Bureau and the Code of Conduct Tribunal. Section172 and 209 of the constitution mandates public officers, including the executives to conform to the constitutional provisions of the Bureau, by periodically declaring all their assets. When a public official is found guilty of violating this constitutional provision, such an individual will lose the right to further contest elections; pension benefits; and cannot benefit from the constitutional provisions on prerogative of mercy for offence convicted. In addition to this, the supremacy clause of section 1(3) of the Nigeria constitution is applicable. Therefore, if democracy is indeed the government instituted by the people and for the people, there is need for government institutions and justice system that work well, that do not relent in their quest to produce the best among the equals for political leadership that will be committed to making sure that the system is effective in such that cannot be manipulated by a powerful individual or groups of individuals. This is what is needed to make true the statement that no one is above the law, and there is no need to create a special class of people that will be exempted from the law in a democracy.

Therefore, if democracy is indeed a system of government that allows for equal opportunity for all; guarantees justice system that works well; system which does not relent in its quest to produce the best among the equal for political leadership, that will be committed to making sure that the system is effective and that it cannot be manipulated by powerful individuals or groups of individuals, rather a system that will promote rule of law, …

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An Appraisal of Voters Turn Out During the 2010 National Election of Ethiopia: The Case of Toke Kutaye Woreda

By Auther Mebratu chalchisa

Abstract- Election is always controversial in Ethiopia. This part of controversies also part of Toke Kutaye woreda of west shewa zone of Oromia regional state. Public political participation particularly during election looks like a tragedy in the woreda because the end result always comes with a dilemma. The ways through which people mobilized for political participation mainly for election by the ethnic parties of the same ethnic group to solve the claim of the people also a headache and strike full in this woreda. In contrast, the people of the woreda were less likely aware of the program and policy of political parties. The election administrative body makes a baised decision in favor of the ruling regime. The methodological approach used was both qualitative and quantitative approach to clearly identify the core problem of electoral practice in the woreda.

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Abstract- Election is always controversial in Ethiopia. This part of controversies also part of Toke Kutaye woreda of west shewa zone of Oromia regional state. Public political participation particularly during election looks like a tragedy in the woreda because the end result always comes with a dilemma. The ways through which people mobilized for political participation mainly for election by the ethnic parties of the same ethnic group to solve the claim of the people also a headache and strike full in this woreda. In contrast, the people of the woreda were less likely aware of the program and policy of political parties. The election administrative body makes a baised decision in favor of the ruling regime. The methodological approach used was both qualitative and quantitative approach to clearly identify the core problem of electoral practice in the woreda.

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I. Introduction

a) Constitutional provision to achieve public political participation in Oromia regional state.

After the derg removed from power by the EPRDF in 1991, the philosophy of administration of the country is theoretically and little practically changed. The core point of governance is making people as a central decision maker from federal to kebele level. In 1994, written federal constitution of Ethiopia adopted in a way it reflects the importance of participation of the people for any things concerned to the people.

The article 8(1) of the national constitution has declared that "All sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia".

This means it is only people who determine over its own affair by actively participating there in. Moreover, article 39(3) guaranteed such a right. Accordingly it says that;

Every Nation, Nationality and People in Ethiopia has the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in state and Federal governments.

This provision is the provision that most importantly gave chance for participation in all aspects life of the society and it also allowed the formation of independent territorial governance (regional states) and government institutions in which the people actively participated over its own matter.

Again the constitution also recognized the existence of regional state and laid down the ground on which the autonomous regional state can be established. Accordingly article 46(1 and 2) mentioned as follow:

The Federal Democratic Republic shall comprise of States.

States shall be delimited on the basis of the settlement patterns, language, identity and consent of the peoples concerned .In contrast, article 47 of the constitution explicitly recognized nine regional state among which Oromia is mentioned Oromia regional state has established based on the above provided grounds. As autonomous state, it has also its own written constitution. The provision which is indicated in the national constitution also deducted as well as included in the constitution of Oromia regional state in a way it takes in to account the existing circumstances of the region. As far as classification is concerned, the provision of Oromia regional state constitution divided in to two general categories-namely Human right and Democratic right respectively the same to that of federal constitution.

The constitution of the region in its article 8 declared that sovereignty is resides in the Oromo people which can be manifested through their direct participation to elect their representative to government institutions even though it denied non-Oromo living in Oromia regional state as a decision makers. Moreover, article 38 of the constitution also mentioned the right to vote of the citizen of the region as per the article 38 of the federal constitution..

b) Participation in party membership in the 2010 election

The 2010 election has brought another dimension of public participation in party membership following the result of the 2005 election. The 2005 was officially declared the crisis of OPDO/EPRDF in every aspects of relation they want to have with the woreda people. Specifically speaking, having supporter and member in to the party was became taboo due to people hate them so that they designed another

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important technique to have member which was nationally implemented in the EPRDF.

There were three political parties in the woreda such as OPDO/EPRDF, OPC which is under Dr. Merera Gudina, ONC which was splited by the Tolasa Tesfaye and Bona Tadese from the ONC after the 2005 election. The OPDO/EPRDF used important ways of scaling up its member and supporter in away it endanger the survival of oppositions in the woreda in a unique ways. Public service was connected to membership to OPDO/EPRDF. This is not confined to a particular sector rather it was inclusively done in all sectors and every one explicitly asked identity card of the ruling party while one goes to compete for vacant job opportunity in the woreda and elsewhere in Oromia. Following the defeat the OPDO /EPRDF in the 2005 election evaluated its weakness and designed another direction[1].

However, the ruling party terrified farmers that the fertilizer should not be given and reminded that the people should ask ONC to give them a fertilizer and so that the farmers were regretted for what they did in the 2005 by forgetting that it is constitutionally guaranteed right[2].Later on OPDO/EPRDF collected farmers in the name of training on how to improve production of agriculture which was produced *Adda dure* (Model farmers) and this *Adda dure* farmers were those unconsciously became member of OPDO/EPRDF (Ibid).He also mentioned that it was also impossible to be employed in the government institution without being a member to the ruling party by stating that he was the very victims of it. Tulu Tadese in his part mentioned that this trend entered in universities and forced student of universities to register in the party to get job after graduation.

Again, this also has been part of the life of the high school student of the woreda. It was related with the clearance that is given by the woreda administration office. If student failed to become member in the ruling party, it couldn't be possible to get clearance which is needed for competition[3] .The competition is made between students to diploma program sponsored by government. Clearance means is identification of whether he /she is member in the ruling party(Ibid).The student don't want talk about politics in the class even debate is happen in the civic and ethical education class[4].

Contrary, *Alemu* who is the head of member recruitment head argued that our party touch the heart of many people of the woreda due to it extensively provided a social service that helped the party to have enormous amount of supporters and people also easily identified the different between our arty and opposition based on what we did for the wellbeing of the people while the opposition did nothing for the people of the woreda. Moreover, he argued that the opposition took side with the *neftanya.*[5] *Hirphasa badhane* [6] the member of electoral executer of the woreda said, the ruling party was able to posses supporters and members due to the government issued law which most importantly stop the miss behaviors of the opposition supporters that was prevailed in the 2005 election not to be prevailed again in the 2010 election. After the 2005 election, OPDO/EPRDF have scaled up the members to 8407 among which male constituted 6747 while women constituted 1660 in 2010 election(Source; the party office) where 80.2% was men and 19.8% was women.

This figure not include the member who changed the living place from the woreda to another and who withdraw from the party membership after 2005 election[7] .From all 80.2% of the members were farmers. The students constituted 7.4%,3.84 were urban small and micro interprises,3.81% urban residents and 5.4%the rests were civil servants. The opposition (OPC) recruited member since 2005 less than what have been done in 2005 election within three months. The figure of party member in the 2010 of OPC was 5027 where 4689 were men while 338 were women (source;the party office).Of this,93.2% was men while 6.8% was women. This indicated that women participation in a political activity is less while men soundly participated.

Hence, the gender balance was not achieved because in all parties membership except some extent better in the ruling party, the women participation is not significant. Arguably,it is the reflection of less participation in other decision making process of the woreda and it is the result of patriarchal administration have broaden its base in the country.

The two elections were held extremely different movement to produce supporters in the political parties in the woreda. It reflected the different move toward democratization of Ethiopia .The good beginning of the 2005 negated in the 2010 election in this regard.

c) Turnout in voter's registration in the 2010 election in Toke kutaye woreda.

Voter's registration of the 2010 national election of the woreda also showed a progressive change. This prevailed from the number of registered voters in comparison with that of 2005 registered voters. According to the report of NEBE of the 2010, the registered voters in the 2010 election at national level also increased from 27,372888 during 2005 election to

[1] Interview, Alemu Hirko, February,2013
[2] Interview, Dhabaa Delesa,March , 2013.
[3] Inerview, confidential kept, February 24/2013.
[4] Ibid.

[5] .Neftanya refers to an armed group of the northern society came with Menelik II and their collaborator and oppressed Oromo. Hence, they convinced people that OPC (Oromo people congruence) cooperated to bring back the past neftanya system.
[6]. This man has been stayed on that position since 2005 election.
[7] Interview, Alamu Hirko, March 2013

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31,926520 during the 2010 national election. This increment also prevailed in Toke Kutaye woreda even though it is not significant in amount.

The total amount of people registered during the 2005 election was 41,173 while it was 41,291 in the woreda in 2010 election. Despite the increment of voter's turnout in the woreda in the 2010, it was 41,292 voters who were registered out of 56,117 eligible voters. In this regard, 73.5% of eligible voters were registered. However, the good things was the registered voter had mostly casted the vote. Accordingly, 90% of the registered voter had casted in the 2010 election the stated woreda. More specifically, 93% of registered men voter had casted vote and accordingly 86.7% 0f women also casted vote in the same election.

In this view, differences among men and women reflected in registering and vote casting in the 2010 election in the woreda. The women were less participated in registering in the woreda despite statistically and eligibly high than men in the woreda as 2007 ECSA mentioned above. Again there also variation between eligible men and women in registering for voting where 78.4% of eligible men registered while that of women was only 68.9%. Moreover, registered women casted the vote again less than men. In this regard, there is still an influence women from the society and government also did not sufficiently worked on women awareness creation and public in general. *See the following table* .

d) Voters turnout in the 2010 general election in Toke Kutaye

Table 2: Source: NEBE (2010)

No	Participation	Public participation in number		
		Female	Male	Total
1	Registered	19824	21467	41,291
	Caster	17205	19962	37167
3	Non-caster	2619	1505	4124
4	Invalid votes	---	---	7323

Despite this, different argument was raised on the state of public participation in registration for voting in both elections. Hence, the following section will analyze it as good as possible. Different informant mentioned different reason for the increment of voter's registration of 2010 from the hot and competitive election of the 2005.The informant taken from the ruling and opposition parties and purposely selected people of the woreda only for this paper. *Alamu hirko*[8]on the side of OPDO has stated that the woreda people were more participant and so that showed this reality in participating actively in voter's registration. He further argued that, this is due to the people has got the long lasted claims through the ruling party i.e. OPDO.

Actually, the general voters turnout is not something to be criticized because the highest percentage had participated. However,it was not purely by the decision of the participants rather it is due external pressure.

Moreover, the increment of turnout was due to the stimulant memory of the 2005 election motivated people to participate[9].Contrary, *Fayera Camada* has argued that the local cadre registered people who disappointed by the 2005 election by going door to door through intimidating the one who failed to registered for election[10]. *Birhanu Lachisa* also shared that the member of ruling party those selected as "*Adda duree garee misooma*[11]" are ordered by the ruling party to go to force other to register by terrifying those failed to register and mostly it was the kebele cabinets who registered voters in *Leencaa kebele and* other kebele due to the order from the woreda OPDO office. This declared that, a defacto compulsory voting system had practiced in the woreda. Arguably, one cannot admit that accurate democratic consolidated can be achieved by forcefully increasing voters turn out and it is not the reflection genuine democratization process. However, It is crystal clear that voter's turnout is high in a country where voting is compulsory and has a penalty (Blais, Massicotte and Dobrzynska, 2003:1).

This facts was the fact that highly prevailed in the woreda[12].In addition, the known supporters opposition in many kebeles prohibited the kebele ID card not to vote and this was insured by woredas report committee due to the plan of delivering kebeles ID card was done less than what each kebeles have planned to do so[13]. In this connection, these kebeles officials responded that number of people who have residents ID card was very few due to they were limited the number people who asked the resident card based on the assumption that they would have not vote for the ruling party[14].

Despite this, arguably, the general increments was not sufficient as expected following the hot and competitive election of the 2005 election because it is believed that voters turn could be more high and hot

[9] Personal interview, dhabaa dalasa, march
[10] Personal Interview, Birhanu Lachisa, April,2013
[11] Adda duree garee misooma refers to those selected as model farmers of other farmers in performing what the government delegate to farmers. This model farmers are member to the ruling party .
[12] Ibid, Feyera Camada and Birhanu Lachisa.
[13] Interview, the confidential is kept, May 2013
[14] ibid

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than the 2005 election due to the fact that the 2005 election has putted its positive memory in a society. Even, the decline of women participation was viewed during the 2010 national election. *Addisu Hirphasa* has argued that the people did not register in 2010 election due to unexpected victory of the ruling party in the 2005 election.

In this connection, he argued that most of the registered voters of the woreda for the 2010 election were the member of the ruling party. *Daniel Hirko* stated that election has no change whether we vote or not due the general result will be the same[15].In contrast, *Dhabaa dalasa* (Personal interview, March 2013) mentioned that the ruling party intimidated the people by saying even though you did not voted for our party we assumes power, your vote is value less and it is our party who leads you whoever you voted for and hence people became passive in the 2010 election[16]. This indicated that the electoral system of Ethiopia is also another factor on public political participation. First past the post electoral system of Ethiopia facilitates the winner to take all in denying the votes of the minorities. This discourages the supporters of minority political parties not to participate in election due to the fact that their vote could not bring change on the result of election. Second; the disintegration of opposition also disappointed people to poorly participate and was a reason for pacification of the overall situation of the election. Thirdly, local officials were closely regulating people and hence public carelessly been watching everything[17].

Turnout in voting during the 2010 election in toke kutaye woreda Public participation in 2010 election has done in different situation. The 2005 election has affected public participation. The overall environment of the 2010 election was not hot and participatory. The people have participated passively when it is compared with the 2005 election in the woreda. Birhanu Lachisa who was the electoral officer of *one kebele* argued that the participation people in 2010 election is comparing two incomparable things when it is compared with the 2005 election in the woreda due to the fact that those forcedly registered voters again forcedly voted in 2010 election while in the 2005 the public willingly voted.

Similarly, Hirphasa Badhane also argued that it was somewhat cool when it is compared with the 2005 election. He also argued that the environment of the 2005 election was anarchy which couldn't be considered as hot participation of people due to the fact that the oppositions were running out of legal frame work. Actually, Alamu hirko from the ruling party have perceived the 2010 national election also incomparable regarding public participation on voting day. In this regard he mentioned that he don't know the perfect reason but he said that it may be because people came back to itself based on its vote of 2005 election for the opposition party which was not served its interest. Addisu Hirphasa in his part perceived that the 2010 less participatory because of most of the registered voters were the member of ruling party that pacified eagerness of the people to participate in election that was prevailed in 2005 election due to less competition among parties for election.

Despite this, as indicated in table 2, there was certain increment in terms of voters' participation on voting during 2010 election than 2005 election. From 41,291 registered voters, 37,167(90%) voters casted their vote in 2010 election in the woreda which was less than the 2005 election where it was 90.1% even though the difference is insignificant. After the hot and competitive election of 2005 election the increment was only by 59 voters when it is compared with the 2005 election. This voter voting progress is unsound increments because it was expected more than really what happen. In the 2005 election the participants were 37,108 while in the 2010 was 37,167 which the 2010 out of 56,117 eligible voters in the woreda. The progress is only by male voters while the women participant decreased from the 2005 status of women participation. As pointed out in both table 1 and 2,the women participants in the 2005 was 17,567 while in 2010 was decreased to 17,205 participant voters which decreased by 362 women voters .

Furthermore, unlike 2005 election non-caster also increased in 2010 election. In 2005 election non-caster were 4,065 and increased to 4,124 in 2010 election. Of this, it was the women that share the highest amount. In 2005, from 4,065 non-castes, women constituted 2,360 (58 percent) while men constituted 1705(42 percent).Again, from 4,124 non-casters, it is also the women that shared an exaggerated numbers. In this regard, from 4,124(10%) non-casters, the women's number was 2619(63.5%) while men share was 1505(46.5%).

Generally, women participation was decreased by 6.5 percents in 2010 election than 2005 election while that of men increased by 4.5 percents in the 2010 election when it is compared with 2005 election. Despite the decline of women participation in the toke kutaye woreda, it is obvious that the women participation in election less than that of men even in Western Europe where democracy was originated (Bishop, 2002; Conway et al., 1997; Inglehart and Norris, 2003; Lovenduski, 2001; Norris et al., 2004 as quoted by Mannarini, Legittimo and Talò 2008:97). However, as also indicated in the above table the invalid votes also increased in the 2010 election. The invalid votes in the 2005 were 3,434 while it was increased to 7,323(19.7%

[15] Personal interview, Daniel Hirko March, 2013
[16] Interviwe,Daba Delesa,ibid March,2013
[17] Ibid.

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of casted vote) which were more than double of 2005 election.

Even though the people have passively participated due to the previously mentioned reasons, there was some complaint between ruling and opposition parties supporters. The most notable conflict that was raised in the 2010 election of toke kutaye woreda was that of *Ajoo Beedoo kebele.* The reason for the conflict was as Fayera Camada mentioned, the observer of the ruling part attempted to take the vote bag during counting and in this response, the opposition observer prohibited it not to take the bag. Incontrast, the people or voters collected together around the polling station to force the concerned body to respect their votes[18] . It was in this situation that the federal police came and killed Alamu degaga the one who is known opposition supporter of the area and the people were also fired motor cycle of government[19].

Furthermore, the federal police have beaten all people including older people indiscriminately by taking out of their house during that night[20].The way electoral executers on each polling stations was also another problematic issue. Substantially, Fayera camada has noticed that the electoral officer of Guder 02 kebele gave double federal parliament voting one on behalf of regional voting paper for the ruling party's supporters. Moreover, the federal police prohibited the observer opposition(OPC) in *Toke Arfinjo* kebele of the woreda and only the ruling party that has dominate the electoral process[21].

Again, the voting and counting became inappropriate in that election. One of the kebele managers in the woreda have stated that "it was the kebele cabinets and kebele manager who made X on the voting paper of voters by going in to polling place". Incontrast, this kebele manager has also discussed with me the system by which they cheated the observer of opposition as the following manner;

"We sent one individual to woreda electoral officer to take permission paper to be observer of the party that was not participating in the woreda like CUD and (EDP) and accordingly the electoral office of the woreda gave permission to that person without the knowledge of the parties to be represented in that polling station. These individuals came and seat as an observer of CUD and EDP to facilitate the cheating of the ruling party in the woreda. Accordingly, he said when I go to the polling place to force the people to vote for the ruling party, the observer of opposition (OPC) tried to stop me from forcing people to vote for the ruling party and immediately the one who came as observer of CUD asked a question the observer of OPC by saying don't you think that we are the opposition observer? And again he told him that "he was seating to protect votes of his party from the ruling party and so that he convinced him that I was doing nothing". In this way the observer of the strong opposition party was became silent while I was voting on behalf of the voters. The voters were expected only sign to ensure that they were not absent from election. Beside this, he also stated that it was the ruling party member who counted the vote and disqualified votes of opposition party by adding X on the side of the symbol of the ruling party on the same voting paper of voters".

Ato Sasahulih kebede who is the secretary of CUD has admitted that the party has registered in the woreda to participate in the 2010 election and delegated representative to the constituency[22]. However; the electoral officer of the woreda had shown the profile of our representative to the ruling party. In this connection, the woreda administrator called our representative to their office and intimidated him. As a result, the party withdrew from election of the woreda at the beginning of the parties' registration program. Due to this fact, he said that the party has not delegate the party observor. Finally he concluded that, the representation of observer without the knowledge of the party reflected the usual cheating of the ruling party we notice in the country.

Moreover, EDP also criticized the action. Wondasen Teshome who is the head of the social affair of the party mentioned that, the party had not registered to participate in the woreda[23].Accordingly; he said that representation of observer without the recognition of EDP is the unlawful and undemocratic action. In addition, he also said that, the EDP has accepted by the people due the party's perfect clarification and so the ruling party has used this opportunity to divide the votes of opposition even at the place where we did not competed.

This was difficult to be resolved by the electoral officer of the woreda due to the fact that the officer were the ruling party member and come as neutral person[24] .Hence, the great disparities were occurred on protection of the immunity among political parties in the woreda when compared the 2005 election with the 2010 election due to the 2010 election has lost public trust in the woreda despite some progress.

e) Voters Education in toke kutaye woreda in enhancing voters turn out

It is obvious that anything cannot be performed without the knowledge of the specific issue. Knowledge can be obtained from information and education in general. Democracy and election are a new phenomenon in Africa due to the fact that it was introduced in post colonialism where societies

[18] Ibid, Fayera Camada
[19] Ibid.
[20] Ibid.
[21] Interview, Demoze Kumasa, March, 2013.
[22] Interview, Sasahulih Kebede, May, 2013.
[23] .Interview Wondasan Teshome, May 22/2013.
[24] .Interview, Birhanu Lachisa Appril,12/ 2013

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disintegrated[25] and not educated. Similarly it is also a new issue to Ethiopian, because it was introduced in post cold war or post- 1990 with coming of EPRDF to power.

It is also crystal clear that backwardness and poverty is the very challengers of the nation. To host genuine and democratic election, the public should know how election can be conducted. Incontrast, competition does not function without information, information requires tranisparency, competition ensures that political parties reflect the will of the people and put pressure on the state to deliver(Diwan 2009 :137). Voters education is targeted to aware the registered voters on the way they vote in election. It is also being given in Ethiopia during election. People in Toke kutaye woreda as a woreda in Ethiopia experienced voter's education during election in the effort of making election very participatory and competitive. Moreover, there are different means of educating voters

f) Voters Education during the 2010 election in Toke Kutaye Woreda

i. *Parties campaigning as voter's education*

Hangman (2010:5) has argued that the 2010 election of Ethiopia was so cool and pacified multi- party system as well as back to its very beginning in comparing with the election of the 2000 where opposition gained 0.2 percent in both cases. This was part and parcel of toke kutaye woreda. The campaigning was not eagerly attended by the people in the area[26].One of the kebele manager in the woreda whose confidential is kept said "We convinced the people that the leader of opposition party did not contributed money for road construction in the woreda where an ordinary people did so and people even stopped the movement of opposition on the road built by the ruling party and the people".Incontrast, he said "We told people that the opposition comes after five election without contributing nothing for that woreda people".

Hence, we convinced to make people not to go to the meeting of opposition and not to vote for them. Dhaba in his part said that the cadre of the ruling party, stayed in the farmer to regulate every activity of the farmers and so that forcefully stopped the movement of people and affected the political participation and decision of the society. However, there was certain sort of campaigning to aware people on election during that election. But it cannot be comparable with any criteria with the 2005 election where voter's education was massively provided. Hence,It was delivered by less degree where the inter-parties antagonism in that woreda have terrified people up to preferring election not to come. The antagonism was resulted to the death and arrest of people in the woreda as far as election comes to be conducted.

ii. *Media in voters Education*

As far as media is concerned, it was less fair than the 2005 election[27]. In fact; it was after the 2005 election that the Oromia Radio and Television has established in addition to Ethiopian Radio and Television. But what matter is how much of it is accessible to people. Tullu has argued that, even though the radio and television have opened, it is only economically better people uses it and people who have electric access too. Most of the *kebele* in the woreda are out of electric transmission because 86% live in rural area[28]. Arguably, lack of resource became another challenge of Ethiopian election and democratization in general. No any print media that can read and identify the arguments and policy choice of parties that can be provided during election. However, the ruling party provides *Oromia* news paper that is the ownership of the ruling party which disseminates the party's stands and the second is *Barisa* which is termed as public media[29] but it is party affiliated media and it is not given out of the member of the ruling party even for sell. I personally asked the one who distribute the news papers in the woreda council by payment and he was responded that it is only given for the party members.

It is only these two print media that can arrive to that woreda and distributed for the member of the ruling party and reserved in the libraries of schools and government office. It is in this way that the ruling party disseminates its program to civil servant. This highly created great difference between the ruling and opposition to inculcate their program by equal weight. Lijphart (1997:1) argued that unbalanced influence leads to unbalanced participation.

Alemu Hirko mentioned that there is no absence of print media in the woreda but it is due to lack of reading habit of the people in confidently talking that it is available in neighbor woreda i.e. Ambo woreda.

In fact, as he said there is less reading habit of people in the country as some publication asserts. However, he failed to understand the economic status and education status of the people of the woreda. The economic capacity of one nation is directly affect electoral process of the country (Blais, Massicotte and Dobrzynska 2003:4). Everybody knows that the most citizen of the country worry to cover its basic needs than going away many kilo meters in search of news paper in other woreda. Surprisingly, he also concluded that everybody have radio in its home and follow information about election consistently. This cannot be expected in

[25].The disintegration of African was due to divide and rule and colonial legacy implemented by European imperialists.
[26] Interview, Hirphasa Badhane March 2013.
[27] Interview, Bekele Nagaa, May,,2013.
[28] Ibid.
[29] Interview, Alemu Hirko, March 25/2013.

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a country in which many people are not educated and have no financial capacity to do so.

Actually, it is impossible to assume that people actively participate in attending media even if it is available in its woreda due the fact that many people are not experienced it ever before. Even I observed in Ambo town the degrees of public participation in reading news paper. Needless to add, the writer has asked the one who sell news paper on the status of public motivation in reading news paper in Ambo town. Accordingly, he said "People read sport news paper than other news paper". He also said that it is only limited amount of news paper that arrives the town mainly reporter, Addis zemen, vacancy and sport due to the reason he don't know. However,it is better than that of the toke woreda in any criteria because of no written news paper in the woreda available to the people. This does not mean that government should distribute news paper but the writer is arguing that the government should establish a system through which it can be accessible.

iii. *Civil society in voters Educations*

The issue of civil society in the woreda is the reflection of what is going on in the country where less CSO at the county level. Incontrast, the role CSO in voter's education in 2010 election in the woreda has almost no role in voter's education in the woreda. Even, Hirphasa Badhane mentioned that it is less than what has observed in the 2005 election at national level. He mentioned only one civic organization namely Ethiopian patriotic association that arrived the woreda capital Guder. He again stated that these have not participated in voter's education but simply came at the eve of the election to observe over all environment of the election. Fayera Chamada has also stated that he has not observed any CSO in the woreda.

Similarly Alamu Hirko shared this idea but he said that government have done voters education role. However, it is difficult to say that voters education achieved due to the fact mentioned in the previous section which downgraded the status of voters education in the woreda. Hence, the role of CSO in voter's education was very less and more likely no CSO in the woreda despite its little positive side in this regard. Arguably; this was the consequence of unconducive CSO law of the 2009 of the country that undermined the economic capacity of CSO to participate in voter's education at national level. Hence; the voter's education was subjected to conflictual relations of political parties during campaigning in which the ruling party had dominated the process in the woreda.

g) The role of the woredas electoral officer in electoral administration in both elections.

Since 30 years ago, election management has emerged as part of democratic-building and democratic consolidation (Lopez-Pintor, 2000:15).To conduct free, air and competitive election in the multi-party democracy, there should be independent institution like electoral management bodies to properly judge the competent actor for political power. In this regard, different democratic countries have established electoral management body at different time for instance; USA established her federal electoral commission in 1975 while Australia established 1984.

As far as electoral management body is concerned in Ethiopia, it was established in 2007 by the parliament after the contentious election of the 2005 election. This does not mean that no electoral management body in the country but it was not established as independent institutions instead temporarily collection of individuals for the period of election.

In toke kutaye woreda in 2005 election, the electoral officers were the one who closely worked with the people due to it was delegated in each kebele at the bottom level. There were three challenges from electoral officer to conduct accurate and impartial vote administration. One, the neutrality of woredas and kebele electoral officer was questionable. According to the electoral law of Ethiopia, the electoral officers are elected by the people and work in a neutral way from any political parties influence.

However, Dejene debela one of the kebele managers of the woreda said, the electoral officer of kebele were also ruling party affiliated. Similarly, Merera (2002:168) generally argued that it is handy picked by the ruling party. Infact, the kebele electoral officer clearly informs the public specially on how one make X on the voting card[30].He said there were those told us by murmuring whom we have to elect[31].Eventhough, the electoral officers does good work in providing voters education they were biased due to they were member in the ruling party. As empirical fact, one of the electoral officers of the woreda is apparently a mayor of *Guder* town the capital of the woreda on the place where one is politically assigned. Hirphasa badhane the member of electoral officer of the woreda said that they were assigned to that position by government because of they are impartial and free from membership in any political party. This by itself is not clear due to the fact that government led by ruling party assign them and so that it is unconvincing that they are impartial.

It was not clear through which these individuals assigned to that position but know previously that they were member of OPDO and were attending the OPDO meeting[32]. Hirphasa Badhane the electoral officer of the woreda was not willing to make interview without the permission of the office of OPDO and woreda head who is politically appointed. In this respect, one can

[30] Interview, Fikadu Chalchisa March 2013.
[31] Ibid.
[32] Interview, Daniel Hirko February, 2013 and other whom confidential was kept February 25/2013)

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understand that their neutrality is affected by the ruling party to perform their jurisdictive right and responsibilities as the principle. Similarly dhaba dalasa and Tulu Tadese have mentioned that they were not observed election when the electoral officer in their kebele have directly elected by the people. Even this is not true at the woreda level because they were assigned than by public election. Second, the individuals are not committed and they are temporarily assigned to that position with no payment. In this regard, Buzayo Kuma has argued that the electoral officer has no their own office for this purpose. The officers have not documented any profile regarding election, parties registered and case of complaints among parties in the woreda. This declared that, the institution has no accountability for the duties it is assigned in that particular woreda.

The electoral office of the woreda had re-structured following the establishment of NEBE after 2005 election as an independent local electoral officers. Accordingly, the electoral officer of toke kutaye woreda has established after the 2005 election as independent institution and performed its first electoral management in 2010 elections. The institutions draw its channel to kebele level. However, as indicated in the previous discussion, the local electoral officer elected to that position is not clear[33]. The vote administration by electoral officer also was too controversial in the woreda due to the reason that they were affiliated to the ruling party[34].

Moreover, the electoral officers of woreda were not committed to proper conducting electoral administration. Hirpasa badhane has mentioned that the institution properly conducted the responsibility of electoral administration. In this connection, he argued that lack of finance discouraging to actively perform such tasks. In addition, the institution, the officers are working this task in addition to their formal activities for which they were being paid a salary[35].This affects the commitment of electoral officers to perform their task due to the absence of salary for it and double responsibility[36].

Despite this, there was some sort efforts made in facilitating and providing logistic that can be used for election .However; the officers were not tangibly impartial because most of them were the member of the ruling party while the others were performs what they were ordered by the ruling party. For instance, the member of the ruling party, who is going to be electoral officer as impartial exit paper from party when four months left for election to be conducted and in contrast, the clearance given from the ruling party to the one who request clearance and he/she would be appointed as electoral officer.Inaddition, some are directly appointed by the ruling party cabinet[37].Arguably, in such a way that it couldn't normally impartial due to the fact that the appointment of the officers was one sided.

Practically speaking, one of the strong opposition party of the woreda (OPC) has that it was difficult to provide complain to the inistitution. Incontrast, Fayera Chamada who is the OPC office director of the woreda has mentioned that the institution was clothed the office while we go to provide our complain when the ruling party had arrest our supporter, intimidated our observer and cheat the polling process in collaboration with the ruling party. Moreover, it was also not given any remedy for the complain the party had provided[38]. Contrary, Hirphasa Badhane reacted to this claim as was a groundless complains raised by the OPC. In addition he said, the OPC failed to respect the decision of its representative when he was resigned himself from competition on behalf of the party. Accordingly, the institution had addressed that it is the right of the person and so that the party cannot force a person to do what he had not want to do[39].

II. Conclusion and Recommendation

a) *Conclusion*

It is after 1991, that conventional public political participation is explicitly being implemented because it is constitutionally allowed. However, the implementation became problematic.

There were two broad problems.
These are:

A. The past trend was still influencing people not to participate in election actively. Eventhough, popular election is the current means officials appointment, the people is not well informed to distinguish this regime from the past régimes because of Voter's education is not comprehensive due to the reason that it is a few people that are well informed and hence, voters awareness creation till not sound to change the past legacy in the mind of the society to speed up the democratization process of the country
B. The unconducive situation that prevailed during election discourages people not to participate in election because of undemocratic relations of political parties competing for power in the woreda.

The relation of political parties in Ethiopia is not in a position to attract the public to participate in political activities and election in general. Usually,as election is coming to be conducted, parties and supporters

[33] Interview, Barsisa Lamma, May, 3/2013
[34] Interview, birhanu Lachisa, April, 2013 and other those confidential is kept).
[35] Ibid
[36] Informal Interview,Yisma jirru march 18,2013
[37] Interview, confidential is kept, May 4, 2013
[38] Ibid.
[39] Ibid.

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competitions is unfairly prevailed due to the fact that they even physically compete each other where peoples killed during election than in normal circumstance.

In this respect, 2010 Ethiopian national elections have shown its own distinct manifestations.

The bad consequence of the 2005 election, a strategic change of the ruling party and weakness and pressure on opposition party has influenced public participation in 2010 election. In this process many people were killed while other arrested. Incontrast, following the victory of EPRDF at national levels the local officials passively affected people voted for the oppositions and a couple proclamation were un properly used by local official's and unclear way of an appointment of electoral officers at different level also another problem in the 2010 election.

Moreover, the split of opposition parties disappointed the people not to participate in election from then on ward. Infact, public voter's registration was increased in degree in the 2010 election. This is the cumulative result of the ruling party after election mainly; the ruling party has improved after evaluating itself following the 2005 election and membership connected to the ruling party to get public services. Despite the progress of voter's registration, the general situation of the 2010 election is cool in comparison with the 2005 election due to the aforementioned reasons.

Toke Kutaye woreda as part and parcel of Ethiopian territory and as a base of opposition supporter, what mentioned above prevailed in the woreda in full and also in part.

The 2010 election similarly observed by some observer at national level despite opposition undermined the observer as was not impartial and not different from the ruling party while the reverse was happen in the woreda when it is compared with the 2005 election. Actually, the voters turn out was better than the 2005 election because it exceed in 180 voters where the women voters turn out was decreased from the 2005 election while that of men increased and compensate that of women. However, overall situation of the 2010 election was pacified because the ruling party of the woreda highly dominated the scene in all aspects which minimized competition among political parties in the woreda.

The ruling party has brought a party channel to each public service on which a party cabinet participate. Farmers, Civil servant, Merchant and university and college graduates have unreservedly joined the ruling party for survival than accepting it. The farmers were intimidated by the OPDO because of the 2005 election in which they vote for opposition. The local cadres moved to people not to vote for opposition particularly OPC by telling them if you vote for them, you will be punished as result of it was alleged opposition terrorist and we can continue on power because it is obvious to win at national level as was in 2005 election. Civil servant also became member of the ruling party and some of them became dormant by the calculation of they would lose promotion and further education opportunity.

Moreover, youth especially university and college graduates provided two alternatives. One was being a member in OPDO and getting job after graduation while the second alternative was losing job and become member in opposition or being neutral. Even being a neutral from any political party cannot help to be employed equally with the member of ruling party. These were affected public to actively participate during the 2010 election of the country.

As discussed above, Voters registration in the 2010 was exceed that of the 2005 in fewer amounts. The people participation in voter's registration was less hot in comparison with the 2005 election despite its highest turn out in comparison with the 2005 election in the woreda. The forceful registration was made by going door to door and through *garee misooma* which was affiliated by ruling party and existing in each *kebele*. The absence voters from registration at the beginning was due to the public did not trust overall environment of the electoral process and people assumed that the vote would be stolen by the ruling party highly the member of the ruling party were early registered[40]. In general, even though, the country has not adopted compulsory voting, what happen in the 2010 election was manifested a defacto compulsory voting system in the woreda where people have forcefully participated in the election to only increase voters turn out.

The other was, the campaigning process by itself was not comprehensively good to mobilize people to participate in election. The ruling party has dominated the campaigning process by using lower administrative organ and farmers association who mostly recruited as member of the party after 2005 election. Beside this, the ruling party had also improved itself in number of ways[41] after 2005 election through building some infrastructure mainly putting a corner stone for hospital in the woreda. The oppositions in their part were very weak while it was compared with their performance of the 2005 election. They were not moved to the people to teach their program while the ruling party highly changed its own history of the 2005 election even though government task and party task was impossible to be distinguished in it and avoided equal field of competition for all party in campaigning.

The voting day was also not good and not participatory as good as 2005 election was. In the 2010 registering and voting was telling to the people at eve of the Election Day by local cadres of the ruling party of the

[40] Interview, Damoze Kumasa may 2013.

[41] .The ruling party started to closely discuss with the people unlike in the previous elections.

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woreda. Despite this, 9.98% percent was failed to vote in that election. Electoral officers did not discharged their own responsibility in protecting miss-behavior of the members and the supporters of ruling party and observer while they were talking to people to vote for ruling party and even voted by the themselves on behalf of voters in some kebeles .

Even, the way the electoral officer of the woreda have appointed against the law due to most of them appointed by the ruling party as neutral .In many kebele, the electorates and the one elected as electoral officer were the member of the ruling party while in other they came as electoral officer by the assignment of the ruling party.

In this regard, the public did not know that electoral officer could be elected as the representative and so that they did not claim this to be so (Interview, Barsisa Lemma, may, 4, 2013). This also because of people is lacking education in the society that paved the way for cheating of election by parties.

The vote counting also was problematic in the 2010 election of the woreda. The observers of OPDO and OPC had challenged each other on counting and led to dispute where one man has killed by federal police and peoples were indiscriminately tortured and beat in *ajo bedo kebele.* In other rural kebele the ruling party has counted unlike urban kebele due to the local militias avoided the observer of opposition forcefully. Hence, the ruling party OPDO/EPRDF has won the election in the woreda. This victory was the result of;

a) The inter-mixing of the public power and party responsibility by the ruling party of the woreda which extensively captured students, civil servant, farmers and merchants as whole.
b) The weakness of opposition parties was very remarkable. ONC which was victorious in the 2005 election was splited in to ONC and OPC have disappointed the people not to vote for them and not to participate again. Moreover, the OPC and ONC did not perform very well to mobilize people as well as 2005 election. Even OPC who was stronger opposition in the woreda did less work when it is compared with the 2005 election. It was not arrived even where infrastructure is better than other areas.
c) The carrot and stick approach of the ruling party making opposition out of domain in the woreda in which money and employment as carrot and imprisonment, intimidiation, cheating and beating were used as stick to be successful unlike the 2005 election.
d) The unexpected victory of the ruling party in the 2005 election at national level that made difficult the aftermath the election where voters regretted for their voting for opposition due to the local cadres stayed in that placed and affected people in many ways.

III. Recommendations

As far as recommendation is concerned, the above challenges of public political participation observed in the woreda can be addressed or reduced by employing the following techniques.

- Proportional representation electoral system can solve electoral system related problem that affected public political participation. This kind of electoral system despite its drawback can fill the magnified weakness of majority vote system being implemented in Ethiopia. Proportional representation (PR) is give the minorities a seat in the parliament based on the percentage of the vote they get from the public and it help political and Ethnic minority to have proper seat in a diversified society like Ethiopia .
- In this regard, absolute difference cannot be prevailed between the winner party or candidate and the defeated party or candidates. Hence, the policy, proclamation and program cannot be easily approved due to the fact that the difference between the winner and the defeated parties or candidates is narrow. This encourages the people to participate in election because their vote can bring change on election result than the majority vote and also increase voters turn out as the study of (Blais, Massicotte and Dobrzynska, 2003:1) on 61 democratic country following a third wave of democratization since 1990 .
- Electronic voting system should be adopted. E-voting system can minimize any problem on voting and vote counting because there is no manual contact that can disrupt electoral result and hence all parties and supporters most probably can accept the result of elections. Moreover, voters can vote without going to polling area by using an internet. This helps to the increment of voters' turnout and In this regard, democratization and federal system can be consolidated in advance and creates national consensus among all.
- Uncompromisingly detaching public responsibility from party responsibility could be a core solution. Hence; the government should design a clear system to control such activities.
- The highest emphasis should be given to independent public vote than externally disrupting electoral process and result. If this is so, there will be a consensus among parties and society as whole because it is the public that can mediate political parties through its vote.
- The legislations made by government should be implemented in way it arbiter all political parties and supporters in democratization process of the country than unfairly favoring a single dominant political party in multiparty democracy.

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- The electoral officer should be assigned free of other extra responsibility to that position and so that it increase the commitment of the officers.
- There should be an extensive planned and programmed voter's education and voting observer in rural Ethiopia where majority of the voters and illiterate's people resides.
- The Fundamental constitutional provision should me respected particularly article 16 of anti-terrorist proclamation that was violated article 26(1) of the 1995 constitution which subjected public privacy to police institution should amended due to it allow arbitrary searching of the house of people without the permission of court .In this way people can highly participate without any fear and so that it increase accurate voters turnout. Hence, democratization and federal system project of the country can somewhat be ensured.

Bibliography

1. *Agner Fog (2004)* the supposed and the real role of mass media in modern democracy, working paper. Riga, Latvia
2. *Alain G.Gagnon* (2007) Democratic multinational federalism under scrutiny: scrutiny Healthy tensions and unresolved issues in Canada1 a part in Multi national federation simultaneously published in the USA and Canada by Rout ledge
3. *Alan S. Gerber, Gregory A. Huber, David Doherty and Conor M. Dowling* (2012) Social Judgments and Political Participation: Estimating the Consequences of Social Rewards and Sanctions for Voting. Yale University, USA.
4. *Almami I. Cyllah* (2010) Democracy and election in Africa, Regional Director for Africa, IFES
5. *Amanda L.Hoffaman* (2005) Political parties, electoral systems and democracy: A cross-national analysis. European Journal of Political Research *44,* Boise state university, USA
6. *Amare Aregawi* (2009) Democracy and press freedom contributed to the public lecture on a dialogue in Ethiopia prepared by fried rich Ebert stiftung on the democracy and the social question. Addis Ababa University, Ethiopia
7. *Andargachew Tiruneh* (1993) The Ethiopian revolution: A Transformation from an aristocratic to a Totalitarian Autocracy, Cambridge University Press,USA.
8. *André Blais Louis Massicotte Agnieszka Dobrzynska* (2003) Why is turn out is higher in some country than other countries? Montreal University, Canada, www.elections.ca
9. *Alexandra Whitney Samuel* (2004) Hacktivism and the Future of Political Participation, Harvard University ,Cambridge, Massachusetts, PHD dissertation in political science.
10. *Anne Twomey & Glenn Withers* (2007) Australian federal future, Federalist paper 1, Australian and newzealand school of government, Sydeny, Australia.
11. *Aregawi Berhe* (2008) A Political History of the Tigray People's liberation front (1975-1991): Revolt, Ideology and Mobilization in Ethiopia, PHD dissertation, Amsterdam.
12. *Arend Lijphart* (1997) Unequal participation: Democracies unresolved dilemma. American political science review. University of Caliphornia, San Diego.Vol .91 No.1
13. *Asafa Jalata* (2008) Oromummaa as the master ideology of the Oromo national movement. From his selected work, pdf, University of Tennesse, USA
14. *Asafa Jallata* (2006) *Gada* (Oromo Democracy): An Example of Classical African civilization. Global Studies and Africana Studies. The University of Tennessee, Knoxville
15. *Barbara Geddes* (2006) why parties and election in authoritarian regime? Losangeless.
16. Biennial Conference, Scotland House and Wales House, Rond-Point Schuman, Brussels,
17. *Calorina Dahla* (2012) The Ethiopian Quest for Democracy in a Dominant Party State: A Case Study on Democratization in Ethiopia since the Implementation of Ethnic Federalism in 1995, MA thesis. Leiden University, Netherland.
18. *Carole Pet man* (1971) Political culture, political structure and political change, pp 291-305.Cabridge University
19. *Carter Center* (2006) Building Consensus on Principles for International Election Observation, United nation, New York, USA.
20. *Carter Center* (2009) Observing the 2005 Ethiopia National election Final report, New York, USA.
21. *Catalin Baba,Razvan Chereches and Cristina Mora*(2009) Public participation in public policy –Case study in seven countries from north-west region of Romania. Transylvanian Review of Administrative Sciences, Cluj-Napoca, Romania.
22. *Celine Teney & Laurie Hanquinet* (2012) High Political Participation, High Social Capital? A relational analysis of youth social capital and political participation, Social science research, The University of York Wentworth College Heslington, York YO10 5DD, United Kingdom laurie.hanquinet@york.ac.uk
23. *Centre for International Studies* (2007) Engagement with Civil society in Ethiopia: perspectives of Ethiopian CSOs, A working paper, Dublin City university.
24. *Clemence Vergne* (2009) Turnout in Developing Countries: The Effect of Mass
25. Comparative Perspective, PhD Dissertation, Lucca, Italy

© 2017 Global Journals Inc. (US)

26. *D.Ruedin* (2007): Contemporary issues and social science. Oxford University,UK
27. *Danial J.Elazar* (1995) Federalism: An overview, HSRC Publishers, Pretoria, South Africa.
28. *Daniel Tefera* (2011) *Dandi: Yenegaso menged,* the Amharic version. Addis Ababa Ethiopia
29. *David L.Palentz and Daniel Lipinski* (1994): Political culture and Political communication, working paper 92, Barcelona, Spain
30. *Dessalegn Rahmato, Akalewold Bantirgu and Yoseph Endeshaw* (2008) Civil Society Organizations and Non-Governmental Organizations in development and good governance, A report for ad hock CSO and NGO task force, Addis Ababa, Ethiopia
31. *Dessaleny Rahamato* (2006) civil society organization in Ethiopia, united printer, Addis Ababa, Ethiopia
32. *Dima Noggo* (2009) Contested Legitimacy: Coercion and the State in Ethiopia. PhD dissertation, University of Tennessee,USA
33. *Edmond J.Keller* (2002) Ethnic Federalism, Fiscal Reform, Development and Democracy in Ethiopia. African journal of political science. Volume 7, No 1.University of California, Losangeless, USA.
34. *EUEOM* (2005) A final report on the 2005 general election
35. *EUEOM* (2010) Preliminary Statement: High turnout on a peaceful and orderly Election Day marred by a narrowing of political space and an uneven playing field
36. *EFDUF* (Medrek) (2011) Evaluation on the party performance on the 2010 election of Ethiopia. Unpublished and unofficial, Addis Ababa, Ethiopia.
37. *EPRDF* (2011) some fact about EPRDF. Addis Ababa, Ethiopia
38. *Forum of federation* (2010) Equality and unity in Diversity for Development.5th international conference on federalism. A Conference high lights, Volume 1, Addis Ababa Ethiopia.
39. *Gerard Newman* (1989) Electoral system, published by Australian parliament, Australia.
40. *Habtamu Alebachew (*2012) Settling the Accounts of 'Revolutionary Democracy' in Ethiopia after Meles, Addis Ababa, Ethiopia.
41. *Harold G. Marcus* (1994) A History of Ethiopia, University of California press, USA
42. *Henok Bogale* (2012) Designing an electoral system for sustainable multi-party democracy of the Ethiopian multi-ethnic-federation, MA thesis, center in federal studies, Addis Ababa University ,Ethiopia.
43. *Human right league of the horn of Africa* (2009) Report on Press Freedom Violations in Ethiopia. To be submitted to the process of Universal Periodic Review of Ethiopia's
44. Human Rights Record, Geneva, Switzerland
45. *IDEA* (2002) Electoral System design handbook, Stockholm, Sweden.
46. *IDEA* (2004) Voters turn out in Western Europe since 1945 Stockholm, Sweden.
47. *IDEA* (2005) Electoral system design hand book, Stockholm, Sweden.
48. *International Crisis Group* (2009) Ethiopia: Ethnic federalism and its discontents, working paper, Nairobi/Brussels
49. *Human rights watch* (2010) "One Hundred Ways of Putting Pressure" Violations of Freedom of Expression and Association in Ethiopia, Washington DC, USA
50. *Ishac Diwan* (2009) The World bank's role in good Governance written on democracy and social question: some contribution to a dialogue in Ethiopia .Falcon printing enter price, Addis Ababa University, Friedrich-Ebert-Stiftung and Goethe-institute, Addis Ababa, Ethiopia.
51. *J.C.Johari* (2005): Principles of modern political science, sterling publisher, New Delhi, India
52. *Célia Belim Rodrigues* (2010) Press Freedom and Informed Public Opinion: Measures of the Quality of Democracy? - The case of Southern Europe Countries, conference cepaper, Dublin, Ireland.
53. *Jennifer Ostini and Anthony Y.H.Fung* (2002) Beyond the Four Theories of the Press:A New Model of National Media Systems written on Mass communication and Society, School of Journalism and Communication, the Chinese University of Hong Kong,Hong kong ,China.
54. *Jens Barland* (2005) Press Freedom and Globalization: Scandinavia and East Africa.MA thesis at America international university, Nairobi, Kenya.
55. *Jimy Martin* (2006) Mixed Electoral Systems: MMM vs. MMP: Unique Systems or Two Sides of the Same Coin? Creighton University Graduate Program in International Relations
56. *Joakim Ekman, and Erik Amna* (2009): Political participation and civic engagement: Towards A New Typology, Sweden, Working Paper.
57. *John Abbink* (2006) Discomfiture of democracy? The 2005 Election crisis in Ethiopia and its aftermath. Oxford university press, Oxford, UK
58. *John Scot* (2000); rational choice theory, Landon UK. Http://privatewww.essex.ac.uk
59. *Kalkidan Kassaye* (2010) Center - State Relations in the Ethiopian Federal Setup: Towards Coercive Federalism? A view from the Practice, A thesis, Addis Ababa University School of law, Addis Ababa, Ethiopia.
60. *Kevin donney and Orla Doyle* (2005) Political interest, cognitive ability and personality: Determinants of voter turnout in Britain, publisher Geary Institute, London

© 2017 Global Journals Inc. (US)

61. *Klaus Detterbeck and Eve Hepburn* (2012) Party Politics in Multi-Layered Systems: An analytical framework of multi-level party politics for Western and Eastern Europe. Paper presented at the Political Studies Association Specialist Group on Territorial Politics
62. *Kwang-Il Yoon* (2010) Political culture of individualism and collectivism. PhD dissertation, Michigan University.USA
63. *Lahra Smith* (2007) political violence and democratic uncertainty in Ethiopia, published by USA institute of peace, USA
64. *Leonardo R.ariolla* (2008) Ethnicity, economic condition and opposition support: Evidence from Ethiopian 2005 Election. Northeast African studies Stanford University, Caliphornia, USA.
65. *Lisa Blaydes* (2008); Authoritarian elections and elite management: Theory and evidence from Egypt. Department of Political Science Stanford University,UK.
66. *Livianna Rossetti* (2007): The electoral participation of ethno cultural community, Canada chief electoral office Montreal, Canada.
67. *Louis Massicotte* (2004) In search of a compensatory electoral system for Quebec, University of Montreal, A, Working document.Montreal, Canada.
68. *Lovise Aalen* (2002); Ethnic Federalism in a Dominant Party State: The Ethiopian Experience 1991-2000, Chr. Michelson Institute Development Studies and Human Rights.Bergen, Norway.
69. *Makuria Bulcha* (1993) Beyond the Oromo-Ethiopian conflict in the journal of Oromo studies. Volume 1 and No 1.Tennesse University,USA
70. *Manuel Castells* (2007) Communication, Power and Counter-power in the Network Society. Journal of international communication. Annenberg School for Communication, University of southern caliphornia, USA
71. *Mark E. Warren* (1999) civil society and good government, Georgetown University, Washington, DC, USA
72. *Mateji Makarovic* (2002): Media on National Voter Participation. Center for Studies and Researches on International Development CERDI, University of Ljubljana, Faculty of Social Sciences, Ljubljana, Slovenia.
73. *Merera Gudina* (2002) Ethiopia: competing ethnic nationalisms and the quest for democracy, 1960-2000, PHD dissertation, institute of social studies, The Hague, Netherlands.
74. *Merera Gudina* (2011) Ethiopia: From Autocracy to Revolutionary Democracy, 1960s-2011, Printed by chamber printing house, Addis Ababa, Ethiopia
75. *Michael A.Jones-corea and Devid L.leal* (2001): Political participation does religious matters, Cornell University and state university of New York, USA
76. *Michael A.Xenos, Patricia Moy and Verena K.Hess* (2005): Mass communication and society, university of Washington. Pakistan. Paper for the Political Studies Association-UK 50th Annual Conference10-13 April 2000, London, UK
77. *NEBE* (2010) Publication on the 2010 election of Ethiopia. Addis Ababa, Ethiopia.
78. *OPPD* (2011) Electoral system: the link between government, elected member and voters, Brussels, Belgium
79. *Paul F. Whiteley* (1995) political research quarterly, Vol.48, No,1 Published by sage publication, University of Utah, USA
80. *Paul F. whitely &Patrick Seyd* (1996) Rationality and party activism: Encompassing tests of alternative models of political participation. European Journal of Political Research, Department of Politics, University of Shefield, UK
81. *Pippa Norris* (1997) Choosing electoral system: proportional, majoritarian and mixed system, International political science review, Harvard University, USA.
82. *Quanta and Mario* (2012): The rise of unconventional participation in Italy: measurement equivalent and trend over time 1976-2009.Center for the study of democracy, working paper, University of California, USA
83. *Rafael Lopez-Pintor* (2000) Electoral management bodies as institutions of governance, Bureau for Development Policy United Nations Development Programme, Fifth series of discussion paper on governance, Washington DC, USA.
84. *Rainald Borck* (2001) Jurisdiction size, political participation, and the allocation of resource, Kluwer Academic Publishers, printed in Netherlands.
85. *Randall Calvert* (2001): Identity, Expression and Rational choice theory, Washington University, St. Louis resources, printed in Netherland
86. *Richard Langhorne* (2006) the essentials of global politics, Oxford University press, London, UK.
87. *Sarah Vaughan*(2004) Ethiopia: A situation analysis and trend assessment; Report to commissioned by United Nations High Commissioner for Refugees, Protection Information Section (DIP)
88. *Sarah Beckers* (2007) political culture: the difference in east and West Germany, A thesis, Oregon state University series, published by Geary institute, Oregon, USA
89. *Sofie Marien, Marc Hooghe, Ellen Quinteiler* (2010); Unconventional Participation and the Problem of Inequality: A comparative analysis. Belgian Federal science Agency, Belgium, Brussels.
90. *Staffan I. Lindberg* (2006) why do opposition party boycotts elections? Contribution to electoral authoritarianism, University of Florida, USA.
91. *Stanislaw Nastassine* (2005) Fiscal federalism, citizen- candidate mobility and political competition.

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PHD dissertation, Konstanz University, Konstanz, Germany.

92. *Stephen Chilton* (1988): *The Western Political Quarterly*, Vol. 41, No. 3. Published in university of Utah, USA
93. *Susan Scarrow* (2005); Political parties and democracy in theories and practical perspectives': implementing intra-party democracy National Democratic Institute for International Affairs (NDI), Washington DC. Sydney, Australia.
94. *T. Mannarini - M. Legittimo - C.Talò* (2008) Determinants of social and political participation among youth: A preliminary study. University of Salento, Italy
95. *Terrence Lyons* (2005) Ethiopia: Implications of the May 2005 Elections for future democratization program. Washington D.C, USA .http://www.electionsethiopia.org/
96. *Tesfaye Gebreab* (2009) *ye Gazetenyaw Mastawesha*, Pritoria, South Africa
97. *Tesfaye Gebreab* (2010) *Yederasiw Mastawasha* (Amharic words).Published in Washington D.C by Netsanet publishing Agency, USA.
98. *Tobias Hangman* (2006) Ethiopian political culture Strikes back: A Rejoinder to J.Abbink. African affairs, Published by Oxford University Press, UK
99. *Tobias Hangman* (2010) Ethiopia election, Lecturer in Political Geography, University of Zurich, Switzerland.
100. *Tracy J.Ross* (2010) A Test of Democracy: Ethiopia's Mass Media and Freedom of Information Proclamation, Penn state law review Virginia Polytechnic Institute and State University, USA
101. *UNDP* (2000) Electoral Management Bodies as Institutions of Governance, University of Southern California, USA.
102. *Wondesen Teshome* (2009) Electoral violence in Africa: Experience from Ethiopia. International Journal of Human and Social Sciences, University of Vienna, Austria
103. *Yash Ghai* (2000) Autonomy and ethnicity: Negotiating Competing Claims in multi-ethnic state Cambridge University Press, USA.

Legislations

FDRE Proclamation for the Registration and Regulation of Charities and Societies (2009).The proclamation number 12/2009

FDRE Proclamation on anti-Terrorism (2009) Proclamation No .652/2009 The 1994 FDRE constitution

A Proclamation to provide for the electoral code of conduct for political parties (2009)

The charter of the transitional government of Ethiopia consolidated Version of the Election Laws of FDR Ethiopia PROCLAMATION NO. 111/1995 with amendments made by PROCLAMATION NO.438/2005

Federal Negarit Gazeta: the proclamation to provide on Vagrancy Controlling .Proclamation NO.384/2004.

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

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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.

Keywords: political party, presidentialism, national assembly, executive.

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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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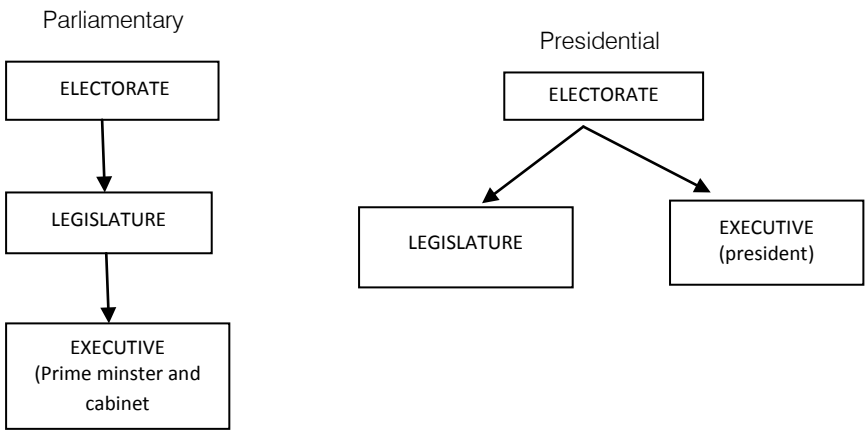

Sources: Samuels and Shugart, 2006:9

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.

References Références Referencias

1. Aiyede, E.R (2006) Legislature-Executive Relations in Nigeria's Democracy, in Ojo, E.O (ed.) *Challenges of Sustainable Democracy in Nigeria,* Ibadan: John Archers Publisher. Pp 140-154
2. Aldrich, John. 1995. *Why Parties? The Origin and Transformation of Party Politics in America*.Chicago: University of Chicago Press.
3. Baily, S (2000) Democracy on Trial in Nigeria, Guardian, August 8
4. Baiyewu, Leke (2017) FG should drop Saraki's CCT case, APC senators tell party, *PunchNewspaper*, April 5,
5. Bassey, Celestine Oyom, (2014) Legislature-Executive Relations and the Future of Democracy in Nigeria, in Ojo, E. O and Omotola, J.S (ed.) *The Legislature and Governance in Nigeria Volume 1: A Festschrift for Emeritus Professor John A.A Ayoade,* Ibadan: John Archers Publishers. Pp 36-52.
6. Cox, G. W. (1987) *The Efficient Secret*. New York: Cambridge University Press
7. Cox, G. W., and McCubbins, M. D (1993) *Legislative Leviathan: Party Government in the House*. Berkeley: University of California Press.
8. Emmanuel, Ogala (2015) #NigeriaDecides: Meet Nigeria's new 107 Senators-elect, *Premium Times*, April 5

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9. Gbadebo, Bode and Odemwingie, Edegbe (2015) NASS Principal Officers: APC Writes Saraki, Dogara, Approves Lawan, Gbajabiamila, Others, *Leadership* June 24.
10. Haber, M. (2015), The Legislative Consequences of Internal Conflict and Inter-Party Divisions, http://rap.sagepub.com/content/2/2/2053168015589216
11. Linz, J (1993) The Perils of Presidentialism, in Diamond, L and Platter, M.F (eds.) *The Global Resurgence of Democracy*, Baltimore and London: The John Hopkins University Press. Pp. 108-26
12. Mbah, Peter and Egobueze, Anthony (2016) Political Party Rebellion, Legislative Politics and Balance of Power in the 8th National Assembly of Nigeria, Global Journal of Human-Social Science: F Political Science, Vol. 16 Issue 1
13. Moore, M. (2002), "What Do Political Parties Do?" *http://www.ids.ae.uk/gdr/reviews-13.html.* Retrieved 15 April, 2017
14. Morse, A.D. (1896), "What is a Party?" *Political Science Quarterly,* Vol. 11 (1), pp. 60 – 78.
15. Muhammad, A. A. (2010) Towards Improving Executive-Legislature Relation in Nigeria's Presidential Demo-cracy, *Political Science Review* 5(1) pp 96-119.
16. Ojibara, I.I (2015) Youth and Political Participation in Nigeria: A Case Study of Kwara State 2011-2015, Unpublished M.sc Thesis Submitted to the Department of Political Science, Faculty of Social Science, University of Ilorin, Ilorin, Nigeria
17. Okege, Oladipo O. (2002) The Politics of Separation of Powers: An Assessment of the Workings of Presidential System of Government, *International Journal of Social and Policy Issues* 1(1) pp 138-146 Omoniyi Salauden (2013) The Birth and last Breath of ACN, *Sunday Sun,* April 21
18. Omotola, J.S (2009) Nigerian Parties and Political Ideology, *Journal of Alternative Perspectives in the Social Sciences, Vol. 1, No 3, pp 612-634*
19. Premium Times (2015) Bukola Saraki Elected Senate President, June 09.
20. Saliu, H.A. and Omotola, J.S. (2006), "Political Parties and the Quest for Political Stability in Nigeria", Paper Presented at the Zaria Conference on: *Humanities in the 21st Century: Prospects and Challenges,* Ahmadu Bello University, Zaria, 10 – 14 January.
21. Samuels, D and Shugart, M.S (2006) Presidents, Prime Ministers, and Parties: A Neo- Madisonian Theory of Party Organization and Behavior, *Prepared for presen-tation at the Meeting of the American Political Science Association*, Philadelphia Tsan, Adesuwa and Nda-Isaiah, Jonathan (2015) Saraki Replies APC on Senate Leadership, *Leadership* June 26.
22. Tukur, Sani (2015) Yakubu Dogara Emerges House of Representative, *premium Times,* June 09.
23. Umoru, Henry and Erunke, Joseph (2015) Pro-Saraki Senators Emerge Principal Officers, as Senate Adjourns, *Vanguard* June 25.
24. Van de Walle, N (2007) Meet the New, Same as old Boss? "The Evolution of Political Clientalism in Africa." In Kitschelt Herbert and Wikinson Steven (eds.), *Patrons, Clients and Policies*. Cambridge: Cambridge University Press. Pp.50-67.

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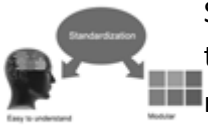

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- Numbering of First Main Headings (Heading 1) must be in Roman Letters, Capital Letter, and Font Size of 10.
- Numbering of Second Main Headings (Heading 2) must be in Alphabets, Italic, and Font Size of 10.

You can use your own standard format also.
Author Guidelines:

1. General,

2. Ethical Guidelines,

3. Submission of Manuscripts,

4. Manuscript's Category,

5. Structure and Format of Manuscript,

6. After Acceptance.

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(b) A brief Summary, "Abstract" (less than 150 words) containing the major results and conclusions.

(c) Up to ten keywords, that precisely identifies the paper's subject, purpose, and focus.

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(g) Discussion should cover the implications and consequences, not just recapitulating the results; conclusions should be summarizing.

(h) Brief Acknowledgements.

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Approach:

- It is embarrassed or not possible to use vigorous voice when documenting methods with no using first person, which would focus the reviewer's interest on the researcher rather than the job. As a result when script up the methods most authors use third person passive voice.
- Use standard style in this and in every other part of the paper - avoid familiar lists, and use full sentences.

What to keep away from

- Resources and methods are not a set of information.
- Skip all descriptive information and surroundings - save it for the argument.
- Leave out information that is immaterial to a third party.

Results:

The principle of a results segment is to present and demonstrate your conclusion. Create this part a entirely objective details of the outcome, and save all understanding for the discussion.

The page length of this segment is set by the sum and types of data to be reported. Carry on to be to the point, by means of statistics and tables, if suitable, to present consequences most efficiently.You must obviously differentiate material that would usually be incorporated in a study editorial from any unprocessed data or additional appendix matter that would not be available. In fact, such matter should not be submitted at all except requested by the instructor.



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Content

- Sum up your conclusion in text and demonstrate them, if suitable, with figures and tables.
- In manuscript, explain each of your consequences, point the reader to remarks that are most appropriate.
- Present a background, such as by describing the question that was addressed by creation an exacting study.
- Explain results of control experiments and comprise remarks that are not accessible in a prescribed figure or table, if appropriate.
- Examine your data, then prepare the analyzed (transformed) data in the form of a figure (graph), table, or in manuscript form.

What to stay away from

- Do not discuss or infer your outcome, report surroundings information, or try to explain anything.
- Not at all, take in raw data or intermediate calculations in a research manuscript.
- Do not present the similar data more than once.
- Manuscript should complement any figures or tables, not duplicate the identical information.
- Never confuse figures with tables - there is a difference.

Approach

- As forever, use past tense when you submit to your results, and put the whole thing in a reasonable order.
- Put figures and tables, appropriately numbered, in order at the end of the report
- If you desire, you may place your figures and tables properly within the text of your results part.

Figures and tables

- If you put figures and tables at the end of the details, make certain that they are visibly distinguished from any attach appendix materials, such as raw facts
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- In spite of position, each table must be titled, numbered one after the other and complete with heading
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Discussion:

The Discussion is expected the trickiest segment to write and describe. A lot of papers submitted for journal are discarded based on problems with the Discussion. There is no head of state for how long a argument should be. Position your understanding of the outcome visibly to lead the reviewer through your conclusions, and then finish the paper with a summing up of the implication of the study. The purpose here is to offer an understanding of your results and hold up for all of your conclusions, using facts from your research and generally accepted information, if suitable. The implication of result should be visibly described. Infer your data in the conversation in suitable depth. This means that when you clarify an observable fact you must explain mechanisms that may account for the observation. If your results vary from your prospect, make clear why that may have happened. If your results agree, then explain the theory that the proof supported. It is never suitable to just state that the data approved with prospect, and let it drop at that.

- Make a decision if each premise is supported, discarded, or if you cannot make a conclusion with assurance. Do not just dismiss a study or part of a study as "uncertain."
- Research papers are not acknowledged if the work is imperfect. Draw what conclusions you can based upon the results that you have, and take care of the study as a finished work
- You may propose future guidelines, such as how the experiment might be personalized to accomplish a new idea.
- Give details all of your remarks as much as possible, focus on mechanisms.
- Make a decision if the tentative design sufficiently addressed the theory, and whether or not it was correctly restricted.
- Try to present substitute explanations if sensible alternatives be present.
- One research will not counter an overall question, so maintain the large picture in mind, where do you go next? The best studies unlock new avenues of study. What questions remain?
- Recommendations for detailed papers will offer supplementary suggestions.

Approach:

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- Submit to work done by specific persons (including you) in past tense.
- Submit to generally acknowledged facts and main beliefs in present tense.

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Methods and Procedures	Clear and to the point with well arranged paragraph, precision and accuracy of facts and figures, well organized subheads	Difficult to comprehend with embarrassed text, too much explanation but completed	Incorrect and unorganized structure with hazy meaning
Result	Well organized, Clear and specific, Correct units with precision, correct data, well structuring of paragraph, no grammar and spelling mistake	Complete and embarrassed text, difficult to comprehend	Irregular format with wrong facts and figures
Discussion	Well organized, meaningful specification, sound conclusion, logical and concise explanation, highly structured paragraph reference cited	Wordy, unclear conclusion, spurious	Conclusion is not cited, unorganized, difficult to comprehend
References	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring

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