

**EXECUTIVE, LEGISLATIVE RELATIONS IN PARLIAMENTARY AND
PRESIDENTIAL GOVERNMENT**

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ABSTRACT: *The need to build a good working relationship between the executive and the legislature in both presidential and parliamentary system of government is germane to this study. The paper opines that the agenda of socio-economic and political development, growth and sustainability is contingent on the system of government in operation. The paper attempts to highlight the basic characteristics of both presidential and parliamentary system of government for better appreciation and understanding of the discourse under review. Of particular importance in this study is the fact that a contention about which system of government among the two is best is to beg the question. The centrality of the argument however tilts towards parliamentarism, which the author has practically refuted as being mundane and baseless. The argument here is that the workings of a system is not a function of the coloration of the system in operation; but the general behavioural repertoire of political actors in positions of authority. The political entity could therefore work well or marred depending on the parametres of rulership idiosyncrasies in place at any point in time. The paper ends up with concluding remarks and suggestions for effective future governance in Nigeria.*

KEYWORDS: *Executive, Legislature, Parliamentarism, Presidentialism, Good governance, Democracy and Political Stability.*

INTRODUCTION

The necessity of building a workable synergy and desirable relationship between forces of government at the levels of both executive and legislative systems lies at the heart of this study. The tendency however is to enhance good neighbourliness, corporate governance as well as institutionalize the tradition of best international practices at not just the executive and legislative arena; but also to engender good governance in all governmental facets. However, it is interesting to note that the Nigerian political system since her independence in 1960 has grossly known no peace considering the high level of feud orchestrated by political figures in the country thereby either over-heating the already tensed system or at best, running the Nigerian entity more or less like a private estate. For very obvious reasons, the tenacity of ranchor and high-handedness as well as executive madness displayed by Nigerian elite class and politicians at the corridors of power is a pointer to the fact that Nigeria may not be far from being a failed State (Omo, 1994 and Oyediran, 2003).

Nonetheless, the multiplier effect is that most of the time, there is ranchor and acrimony, physical brawling and fisticuff, undue bureaucracy in the passage of fiscal budgets, firing of key senate officers and sometimes threats of culpable impeachment by members of the National Assembly against Mr. President. All of these have had a tint of mischief in the political lives of the Nigerian State in recent times while at the same, presents itself as very wrong signals to the international community at large. This paper attempts a plethora of literature on the executive/legislative relations in parliamentary and presidential governments, the purpose of which is to draw appropriate comparisons for a better understanding of the reading public.

Conceptual Clarifications

Maduabuchi (2001) and Andre (1994) agree that while the executive as a form of government is responsible for policy formulation, evaluation and execution to realize set targets, the legislature enacts laws and make the same functional as instrument of cohesion in the society. The belief here is that all the levels of government, be they executive, legislature and judiciary, each of them may not necessarily subsist without the other meaning that each organ of government is mutually reinforcing and contingent upon the success or failure of the other. It goes further to say that there is no political moose in the practice of the specifications and injunctions of the Nigerian constitution just as there is no secret cow in the dispensation of justice in all its ramifications. The executive is therefore seen as the appendage and embodiment of the legislative arm just as the judiciary as the third arm is seen as the arbiter of the two (Ekhaton, 2003; Bade, 2000).

Similarly, parliamentarism as a form of government presents the president as a nominal head of State, but the real executive powers are wielded by the prime minister or ministers forming the cabinet (Mazi, 2007). Several countries and even most continents, including the United Kingdom, Africa and Asia are clear examples of parliamentarism. For example, in Africa, the erstwhile Kenyan government under Mwai Kibaki forms a coalition government with Raila Odinga as prime minister. Again, the Mugabe government in Zimbabwe establishes the same with Changarai forming a parallel government as prime minister. However, it is not clear as a matter of international diplomacy who is actually the president and also who is the prime minister as struggle and tusstle for power continues to rage in these countries to date.

Conversely, Dan (1988) wrote that while there is a clear-cut separation of functions in the parliamentary form of government, the case is not true in the presidential system. The latter therefore is grossly characterized by closely-knit and fused political powers with the executive being the Head of State and Head of Government at the same time. The outstanding example of the presidential system of government is the United States of America while others are Nigeria between 1979-1983 and 1999-date where Nigeria is believed to have witnessed uninterrupted democratic transition from Chief Olusegun Obasanjo to Umaru Musa Yar'Adua as well as the recent power shift to Goodluck Jonathan as acting and substantive President. Other imitations of the United States presidential system of government can be found in a number of latin American States and several other countries of the world including France and Turkey as well as in Mexico where a huge party of the institutionalized revolution has held the presidency and controlled the chamber of deputies continually since 1929 (Mbah, 207:219).

In any case however, the presidential system focuses more attention on the personality and capacity of an individual, the president. This is buttressed by the American constitution thus:

The executive powers shall be vested in a president of the United States of America. His specific powers in the face of it are limited to acting as commander in chief of the US Army, and Navy and the State of militias when called into the actual service of the United States, requiring an opinion in writing from the heads of the executive departments making senior appointments, and making treaties with the advice and consent of the senate (Article 11 of the US Constitution).

Major Principles of Parliamentary and Presidential Governments

The various forms of governments are characterized by certain fundamental principles, some of which are x-rayed viz: first, there is a nominal head of state whose functions are mainly ceremonial and whose political influence is limited (Linz, 1990). Thus, the head of state in a parliamentary system go by the name president as in the case of Germany and India, Italy and in Nigeria during the First Republic or monarch as in the case of Japan, Sweden and United Kingdom. Similarly, in the presidential system, the president is both nominal and political head of state as he exercises executive powers as spelt out in the constitution (Shugart, 19992).

Second, a parliament of representatives is elected by the citizens of the State; meaning that the parliament is the only elected body in the state. Bills passed by the parliament are the laws and no one can overrule them. Conversely, the president in a presidential system is directly elected by the electorates and not by the legislature; and therefore any impeachable offence goes through due process before such executive can be ousted.

Third, the executive power of the state is lodged with a cabinet who are selected by the parliament to conduct the affairs of the State. Most or all the members of the cabinet are usually members of the parliament who take on executive responsibilities in addition to their law making responsibilities. On the other hand, ministers and heads of departments are responsible to the president who appoints them. And since he appoints them, he can dismiss the officers at his whims and caprices.

From the foregoing discussions, it appears that the parliamentary and presidential system of governments operates at sharp variance with each other. Thus, while parliamentary system may be operating on a level playing ground with available conditionalities for effective governance, presidentialism on the other hand appears fragile and unconducive for good corporate governance. In Nigeria's Fourth Republic, however, there have been noticeable frictions especially in the Obasanjo's administration (1999-2007). There were many cases where the president's political power submerged the interests of the legislature and the wider Nigerian public (Adigun 2004)., thus leading to unceremonious fracas in the Nigerian State.

REGIME STABILITY AND THE PRESIDENTIAL SYSTEM: THE GREAT DEBATE

Several debates have been raging about the relationship between good governance and the system of government that exists. Traditionally, literatures have argued that presidential government is inherently less stable than parliamentary regimes (Banks, 1976). This argument has its origin in a more general problem that has been identified vis-a-vis the “exportation” of institutions by advanced industrial societies, particularly the United States of America. For example, in a somewhat broader context, Lijphart argues that Britain’s Westminster model of majoritarian democracy was appropriate for Northern Ireland, because of the presence of a relatively large catholic minority population with very different interests than the majority protestants (Lijphart, 1999:32). Majoritarian structures, such as presidential regimes, are in this view incompatible with plural societies. The ‘perils’ of presentialism and its attendant ordities and the ‘virtues’ of parliamentarism generally support the latter over presidential systems. In any case, it can be argued that presidential systems have two major faults: they are inherently inflexible and rigid, due to the relatively strong constitutional underpinnings required by presidential systems, and presidential elections foster a “winner-takes-all” mentality that can exclude other groups from government (Ann, 2003; Bennett, 1999).

The contention here is not meant to make blanket argument about existing regimes, but rather to provide prescriptive guidance based on the likelihood of particular outcomes. Besides, it can also be argued further that systems which engenders balance of power between the executive and the legislature are inherently more concensual than executive-dominant systems which tend to be majoritarianism in nature. To some extent, two distinct discourses by scholars of comparative politics seems to focus more on the role of elections. Hijphart uses two measures of cabinet stability as the basis for his measure of executive dominance, although he adjusts the measures mainly to compensate for the effects of presidential systems which begs the question why he included presidential systems in the analysis of cabinet dominance. He also establishes a typology of forms of government. Although most of the types have no examples as he so strongly believes. Lijphart appears to weigh in on both sides of the presidential-parliamentary debate; he further opine that presidential systems tend to be more consensual; but also argues that a separate presidency can bolster parliamentary systems by creating an alternate center for power (Carvey, et al, 1998).

The most well-known response to these arguments is from Shugar and Carey in *Presidents and Assemblies* (1992) where they weigh in on the presidential side of the debate arguing that existing studies of the presidential systems ignore many important factors, namely; institutional design and electoral rules. They however, classify existing criticisms of presidential systems as falling into three categories: the problem of temporal ridity (fixed terms), majoritarianism, and dual democratic legitimacy, and acknowledge that those who have identified these problems do not have legitimate arguments, but that they rather overstate their case. Shugart and Carey also argue that based on evidence of regime breakdowns separated by prior regime type, that parliamentary systems are not as “safe” as their proponents tend to believe.

Furthermore, the author argue that these are four advantages of presidential systems that are grossly lacking in parliamentary ones: direct accountability of the executive, identifiability of the

outcomes of elections; the presence of checks on power, and the potential role of the president as an arbiter in the system (Chris and Jennifer, 2000:4).

IMPLICATIONS OF CORDIAL WORKING RELATIONSHIP BETWEEN TIERS OF GOVERNMENT AND STABILITY OF THE NIGERIAN POLITICS

The study has been able to unfold the relative importance of every form of government be they presidential or parliamentary. The stability or otherwise of any system is not contingent on the nomenclature of the type of government in place, but on the character and content of the players involved(Erunke,2012). It was a British scholar, Alexander Pope, who once said that ‘for forms of government, let the fools contain, what is best administered is best’. On this note therefore, it is imperative to consider that the form of government as agitated by most practitioners and analysts may not necessarily qualify for good governance. But that in certain respect, it has been proven by various researches that most countries who still practice monarchism for example, are relatively stable than those who supposedly practice presidentialism or otherwise. Examples abound in most countries within the United Arab Emirates namely,Qatar,Dubai,The Saudi kingdom,etc(Omodia and Erunke,2007). These countries are merely traditional and fairly stable compared to what obtains in those other nation states who claim to be on the contrary. It is clear from the above that Nigeria must not be seen to demonstrate which ever kind of governmental system to ensure good corporate governance and harmonious relationship, but that the stability of the national project depends by and large on the level of understanding between and amongst the various organs of government in operation in the country, and most importantly, the gladiators who are major players in the game of politics at whatever level of analysis. The cordiality or otherwise of this kind of synergy will no doubt, go a long way in enhancing effective governance in the 21st century Nigeria and beyond.

CONCLUDING REMARKS

The aforementioned is an objective and analytical study of presidentialism and parliamentarism as forms of government geared towards a better understanding of the study. By any standard, the distinction between the two forms of government gives a clearer insight as to how a political system works. For the avoidance of doubts, it is imperative to mention that this study generally subscribes to parliamentarism as the desired form of government. This however, is not to discard of presidentialism., the point of emphasis here is that, any form of government in operation in a particular nation-state is workable and contingent on the character and content of the actors and role players in the system. It was Alexander Pope who opine that “*for forms of government, let fools contend: what is best administered is best*”. Without further conjectures therefore, scholars of political science need to agree on a definite stands about the dynamics of any form of government, thereby insisting on the tenets of popular sovereignty and virile democratic values in order to harmonize the interests of both rulers and the ruled in the socio-economic and political schemes of things. This practice will no doubt enhance the stability of government structures at all levels notwithstanding which form of it that is in vogue.

REFERENCES

- Andre, M. F. 1994. "Some Methodological Problems in Comparative Politics." In *Journal of Theoretical Politics*, Vol. 6 (3).
- Ann, A. 1976. *Cross-National Time Series, 1815-1973*. Computer File: ICPCS R.
- Adigin, A. 2004. *Nigeria's Struggle for Democracy and Good Governance*. Ibadan: Spectrum Books.
- Bade, D. 2000. *Africa in the World of the 21st Century*. Ibadan: Ibadan ,University Press.
- Bennet, D. S. 1999. Parametric Models, Duration Dependence, and Time Varying. *American Journal of Political Science* 43(1).
- Carey, J. M. 1998. *Executive Degree Authority*. New York: Cambridge University Press.
- Chris, L. and Jennifer, H. 2000. *Regime Stability and Presidential System: A Preliminary Analysis, being a Paper Presentation at the Annual Meeting of the Southern Political Science Association, Atlanta, Georgia*.
- Dan, F. H. 1998. *Political Communication: Rhetoric, Government and Citizens*. Pennsylvania: SRATA Pub.
- Erunke,C.E 2012. Consolidating Democratic Governance in Nigeria: Analysis and Suggestions. *African Journal of Social Science*,2(2)p.67-73,London,United Kingdom
- Ekhaton, V. E. 2003. *Rudiments of Public Administration*. Kaduna: Joyce Graphic Printers.
- Linz, J. J. 1990. "The Virtues of Parliamentarism." *Journal of Democracy*, Vol. 1 (4).
- Mazi, M. 2000. *Government and Politics in Modern Nigeria: The Search for an Orderly Society*. Onitsha: Joanne Pub.
- Omo, O. 1994. *Democratization in Africa: African Perspectives*. Benin City: Hima & Hima Ltd.
- Oyeleye, O. 2003. *Introduction to Political Science*. Ibadan: Oyediran Consults.
- Omodia S.M & Erunke C.E.2007. Civil Society and Democratic Consolidation in Nigeria's Fourth Republic, *Pakistan Journal of Social Science* 4(5)pp 672 – 676 (2007).
- Shugar, M. S. 1992. *Presidents and Assemblies: Constitutional Designs and Electoral Dynamics*. New York: Cambridge University Press.