

## **Ethnicity and Legislature-Executive Relations in Nigeria: Obasanjo (1999-2007) and Buhari (2015-2020) Administrations in Focus**

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### **Abstract**

This paper examined ethnicity and Legislature-Executive relations in Nigeria in Obasanjo and Buhari's administrations. Extant literature showed that scholars tended to investigate the nature of Legislature-Executive relations because they considered it as basis for the direction of governance therefore approached it from separation of powers perspective. This tendency constituted a major problem for the paper in its bid to fill the gap by introducing Group Theory in the analysis of Legislature-Executive relations in Nigeria. The objective was to establish how ethnicity influenced Legislature-Executive relations in the two administrations. The paper adopted descriptive design. Data were exclusively secondary. Findings revealed that informal structures like ethnicity rather than misapplication of Separation of Powers led to the nature of Legislature-Executive relations in the two administrations. The paper recommended that to achieve good governance Legislature-Executive relations should jettison its ethnic content.

**Keywords:** Legislature-Executive Relation, Ethnicity, Good Governance, Separation of Powers

### **Introduction**

Virtually all discussions on Legislature-Executive relations is a direct discussion on the most visible principle of a constitutional presidential system- the principle of Separation of Powers and its offshoot- Checks and Balances. The fundamental essence of both is to forestall any of the organs of government from acting ultra-vires. If that is the case in a democratic system, then it calls for investigation why the history of all existing Legislature-Executive relations in Nigeria has been the history of the struggle for control of the State Power for one's group. The investigation is apt because the different methods, tactics, strategies, manipulations, manoeuvring and rhetoric so far adopted in the pursuit of this goal have also reflected in the nature and content of responses to the yearnings of the people of Nigeria. The goal to control State Power by the organs of government has also determined varieties of emergent divisive social orientations and group formations in Nigeria. As such, any effort at investigating variables which influence the nature of Legislature-Executive relations in Nigeria vis-a-vis the nature of social transformation, democratic consolidation, nature of governance and service delivery, without paying attention to the potential influence of informal structures like ethnicity in a multi-ethnic society like Nigeria may be an effort in futility. A thorough examination of Legislature-Executive relations in Nigeria must as an inescapable necessity require an inquiry into the problems and pitfalls ethnicity has created, and how the inability to resolve and live above it by both members of the Executive and Legislature has led to national absurdity, degradation, frustration and stultification. There are severe issues of marginalisation, resource control, power sharing, revenue allocation, agitations for recalibration as a result of the domination of political leadership of Nigeria by the Fulani/Hausa oligarchy, concentration of power at the centre, agitation for secession, etc.

The foregoing scenario has characterised the Nigerian State since the return of the Country to democratic government in 1999. This calls for series of concern. The first being that democracy, the system Nigeria purports to be practising "is a government whereby every citizen of a country irrespective of class/status, colour, sex, and race has the right to participate" (Gbajabiamila, 2017:1). In this system, the rights of the minority and the weak are protected notwithstanding that the majority rules. In other words, the tendency for the minority to have fear of domination is allayed. For this reason, Nigeria's 1999 Constitution (as amended) provides equal representation through election of three senators from each state at the Senate yet the minority in

Nigeria are afraid! The second concern is that “Legislature and Executive are composed of the representative of the people democratically chosen by the people themselves” (Irokansi, 2020:1) yet in Nigeria they sit back and watch those who gave them the mandate being marginalised without asking the necessary questions and taking necessary constitutional actions. As people’s representative, the Legislature and Executive are seen as the “pinnacle organs of government” both of which being:

Collectively responsible for determining both the destiny of the society as an organic entity and the overall social welfare and material circumstances of the citizens throughout the society. This explains the high visibility and primacy of these two organs vis-a-vis the Judicature (Irokansi, 2020, p1).

The Legislature and Executive being formal institutions of democratic order and good governance are firmly established, recognised, guaranteed and empowered with specific functions in the Nigerian 1999 Constitution. The essence was to complete state formation, democratization and process of nation building. Yet after sixty years of independence, Nigeria is still grappling with the process of nation building, struggling to ensure democratic consolidation and good governance. Hues and cry over domination of the Legislature by Executive and concentration of power at the centre still characterise Nigeria’s political scene. In Nigeria, rather than the Legislature and Executive forge a relation which will enable them deliver democracy dividend for which they are elected by the people, they appear to be trading interests and seems divided by concerns for their respective ethnic groups to the extent of allowing such concerns becloud their sense of judgement and oversight function regarding issues of bad governance. It is the observed concerns for own ethnic group by legislators and the Chief Executive(s) in the midst of obvious state failure which reflects in poor state of infrastructure and insecurity that motivated the writing of this paper. Thus the objective of this paper is to ascertain the relationship between ethnicity and the nature of Legislature-Executive relations in the periods under review since such informal variables were not thoroughly considered by previous studies that examined Legislature-Executive relations in Nigeria.

### **Literature Review**

The review of extant empirical and theoretical studies have shown that various works addressing Legislature-Executive relation in Nigeria as it affects democratic consolidation and good governance exist. Some of the scholars Fatile and Adejubi (2016), Momodu and Matudi (2013), who focused on the causes of Legislature-Executive feud in Nigeria, blaming excessive dominance of the Executive over other organs of government on non-adherence to the theory of Separation of Powers. On the other hand, Oslon (2012), Nwokeoma (2011), Natufe (2006) and Johnson (2005) inquired into the negative implication of Legislature-Executive feud on good governance, democracy and service delivery. Flippo (1999) investigated positive implications of Legislature-Executive feud and discovered that it helps both organs of government to monitor each other through oversight function.

However, none of these scholars premised their studies on Legislature-Executive relation in Nigeria as it relates to the role of informal variables such as ethnicity within the framework of Group Theory as propounded by Bentley (1908). These studies mentioned above treated Legislature-Executive relation in Nigeria from the standpoint of theory of Separation of Powers as though the theory is inherently faulty. It is therefore the very clear peculiarity of the challenging factor of ethnicity in a multi-ethnic state like Nigeria vis-a-vis adherence to the principle of Separation of Powers that has not been taken into consideration by previous studies as far as Legislature-Executive relation is concerned. In other words, previous works adopted institutional approach to explain relation between the Legislature and Executive in Nigeria ignoring non-institutional approach. The present study deviated to adopt informal approach to explain Legislature-Executive relation in Nigeria. Thus, informal factors such as party affiliation/loyalty, god-fatherism, place of origin of the Chief Executive, ethnic bias of legislators, elite idiosyncrasies and selfism, all of which having group connotation, come into play in the present study. This is because there is need for a study which gives the highlighted informal structures attention in explaining Legislature-Executive relation in Nigeria. The reason is that the exclusive use of formal structures

in explaining the variables involved in Legislature-Executive relation in Nigeria is more Western than Nigerian. To do that is a denial of the fact that our society (Nigeria) has peculiarities that may not be found in Western societies. This study takes exception to that because “all politics is local” (Gbajabiamila, 2017).

Scholars have argued that ethnicity is a dynamic concept with “important historical significance” (Kumar, 2018). It’s significant attribute which makes it unpopular is its tendency to search for own identity which though in itself leads to the democratisation of institutions of government to avoid tyranny and oppression. In other words, ethnicity may not necessarily be a concept for concern notwithstanding its self-seeking attribute, and may not be a source of violence in a situation where formal institutions of government have been created to ensure a multi-ethnic order and good governance (Kumar, 2018). In other words, Kumar (2018) has maintained that the essence of establishing formal institutions of multi-ethnic order and good governance such as the Legislature, Executive and Judiciary is to forestall possible ethnic conflict which characterise heterogeneous societies like Nigeria. To that extent, it is not perhaps enough to establish formal democratic institutions without giving consideration to possible intervening informal institutions. Paying attention to such informal institutions helps to make policies not “merely assimilationist and integrationist but which truly recognize a multi-ethnic plurality” (Kumar, 2018). Thus, countries like Brazil and India have been able to live above ethnic cleavages to build democratic stable and prosperous empires (Nathan, 2013). The experience/story of Brazil and India is however different from that of the “components of the former Yugoslavia” and the Soviet Union where ethnic conflict posed serious challenge to democratic consolidation (Rotimi, 1996). Meanwhile, Rotimi (1996) has argued that although many scholars have continued to interpret India as one of the consistent democratic nations in the Third World, yet it is “currently threatened by a crisis of ungovernability and deinstitutionalization” arising from both “growing wave of religious fundamentalism and communal agitation” (Varshney, 1992, cited in Rotimi, 1996, p.1). Likewise, the experience of Nigerian government and political development since 1999 has shown a highlight of Nigeria’s “precarious and contentious... multiethnic federal system” (Rotimi, 1996, p.1). Rotimi (1996) has insisted that “This ethnic minority ferment has engendered violent conflicts, involving thousands of fatalities, in the oil producing areas of the Delta region in southern Nigeria and the middle-belt region of northern Nigeria. On a more benign note, this communal ferment has provoked intensive associational activity among the country’s ethnic minority groups (Rotimi, 1996). From the foregoing, Rotimi (1996) recognises the threats ethnic politics poses to democratic consolidation in Nigeria. What Rotimi (1996) did not highlight is the impact of ethnicity on Legislature-Executive relations which has perhaps determined how both organs react to issues of governance in general and insecurity in particular in Nigeria.

Other scholars who recognised ethnicity as a major threat to the stability of institutions of government, political order and good governance are Diamond (1987) and Doornbos (1991). They have insisted that the dynamics of ethnicity have led to docile political institutions, elite manipulation of policies, electoral mobilization and outcome of elections, struggle for competitive group worth, struggle for resource control, false consciousness of self and group, cultural ties, etc (Rotimi, 1996).

It is on the basis of the foregoing assertions that the explanation of ethnicity by Obasi (2005) is pertinent in illustrating the relationship between ethnicity and the nature of Legislature-Executive relations in Nigeria vis-a-vis the nature of governance. Obasi (2005, pp.142-143) has posited that ethnicity is an “...inward-looking and chauvinistic attitude towards one’s nationality or cultural group, with a correspondingly suspicious and hostile attitude towards others, especially those held to be in competitive relations with one’s own”. Obasi (2005) has argued that ethnicity creates a tension-packed competitive-political environment in which competing groups and interests relish vague concepts of religion, culture and colonial heritage to disadvantage others. He insists that it is the reason there is widespread “poverty, corrupt and incompetent leaderships” resulting in what he describes as “endless bitterness sometimes leading to...calls for ethnic self-determination, sovereign national conference, political restructuring and the like” (Obasi, 2005, p.143). Similarly, Gbajabimila, the Speaker of Nigeria’s 9<sup>th</sup> House of Representatives once observed that “The multi-ethnicity and diverse nature of the Country does not help issues. The negativities of our diverse nature seem to always raise its ugly head with every system we

operate. Apparently, there is so much distrust among the various ethnic groups in Nigeria. As it was in the sixties, so it is today (Gbajabiamila, 2017, p.4).

Nigeria overtime has endeavoured to put in place policies meant to ameliorate multi-ethnic variables of inequality such as the establishment of Federal Character Commission. The target was to overcome the recurrent tensions as a result of severe horizontal inequalities that existed between regions and ethnic groups. Yet, the Federal Character Commission should perhaps answer the question of “skewed federal presence in certain regions” (Gbajabiamila, 2017, p.3).

In contemporary Nigeria, the old historical process of achieving nation building through a one-finger-fits-all approach, and a highly centralised federal structure that gives undue advantage to a particular region still plays out. Therefore, democratic consolidation and good governance through Legislature-Executive relation remains problematic. A situation where the right to self-determination, democratic consolidation and good governance does not stem from the nature of Legislature-Executive relation but from “case-by-case basis, where the protagonists” of good governance “have to engage in a protracted civil war...”, has a big question mark on Legislature-Executive relation in a multi-ethnic ‘democratic’ Nigeria. This is because the notion of good governance and democratic consolidation demands a more expanded and inclusive perception accompanied with a secure sense of participation to prevent the outbreak of perennial violence. Hon. Komsol Alphonsus Longgap, representing Mikang/Quan Pan/Shendam Federal Constituency of Plateau State, and Hon. Ben Igbakpa, representing Ethiope-East and Ethiope-West Federal Constituency of Delta State. Both legislators believe that there is a ‘cordial’ working relationship between the Legislature and Executive especially in the 8<sup>th</sup> and 9<sup>th</sup> National Assembly. While Igbakpa basked in the euphoria of the National Assembly’s restoration of peace during late President Yar’Adua’s medical trip abroad, Hon. Komsol had this to say:

The working relationship with us and the executive is based on understanding because when you have arguments and misunderstandings between the arms (of government) the implementation of the budget will suffer because we (legislators) are saddled with the responsibility of oversight while the executive implements. You see, we are working with the Executive now but most times Nigerians turn (around) to call us names like rubber stamp. As legislators we have played our role in ensuring development in the country. We have returned the budget circle from January to December so that people can feel the impact of the budget (Lizzy, 2020).

From the foregoing assertion, we can begin to appreciate the monumental ignorance and how much our legislators do not know, first about their functions and second about what constitutes “cordial relationship” between the Legislature and Executive vis-a-vis democratic consolidation, good governance and service delivery. Perhaps both legislators are driven on the wings of ethnic sentiments or personal interest or both because there is no sign of development or peace in Nigeria. Physical development, inclusive government and general atmosphere of peace are indicators of good governance which cordial Legislature-Executive relation should bring about.

Akinrinade (2019) examined “Executive-Legislature Relations in Nigeria: A Case Study of Muhammadu Buhari’s Administration, 2015-2019”. The study had four objectives one of which was “to determine the nature of the relationship between the Executive and Legislature in Nigeria under President Muhammadu Buhari’s regime”. Qualitative method of data collection was used to generate data for the study. The findings show that the Executive has been overshadowing the Legislature because of the long period of military culture which may be difficult for the chief Executive to live down. Akinrinade’s study and the present one are related in that both are interested in the nature of Legislature-Executive relation under Buhari. They however differ with respect to the central theme of both studies. While Akinrinade’s study concentrated on the legislative process and how “acrimonious” relation between the Legislature and Executive is managed to ensure smooth running of government, the present one concentrates on why both “acrimonious” and “cordial” relation between the two organs in Nigeria is not yielding the expected democratic consolidation and good governance.

Ibietan and Ayodele (2019) study had one major objective which was to examine issues inherent in Legislature-Executive relation in Nigeria. Data used were from secondary sources and analysed through qualitative content analysis. Ibietan and Ayodele's work is related to the present one in that both are interested in the nature of relation which existed between the Legislature and Executive in the period under review. Both however differ because while the former was interested in blaming the inability of the organs of government to observe and respect the constitutional "boundaries in political and governance sphere", thereby explaining the nature of Legislature-Executive relation from the standpoint of formal institutional approach, the present study deviates to blame informal institutions such as ethnicity for the nature of Legislature-Executive relations in Nigeria in the periods under review.

### **Theoretical Framework**

This study is underpinned by Group Theory. The famous proponent of Group Theory is Asthma Bentley (1908). Bentley's contention is that the fundamental unit of all human activities in politics and political process in particular and society generally is the 'group'. This assertion is not unconnected with the fact that politics is nothing but interactions of people who relate among themselves in groups so as to achieve their groups' interests. What this means is that politics is an interaction between groups rather than individuals. By extension, it implies that people do not participate in politics as single individuals but as members of the contending groups in the society hence the formation of different groups in form of political parties which contest during elections. In other words, an individual's participation in politics is limited to the extent to which he or she belongs to one group or another.

Bentley (1908) has maintained that in politics, the "Group" is the focal unit of analysis since it is the actual participant in the political process of the society. It follows therefore that in every political environment there are usually different competing groups contending for the interests of their various members. Often the interest being pursued by these different groups ranges from political power, political appointment to allocation of scarce resources, etc.

To further buttress his emphasis on the primacy and centrality of "Group" as the basic unit of analysis in the scientific study of politics, Bentley (1908) declares that:

...if one is to study politics scientifically, one should look for significant measureable quantities in action (because) there is no idea which is not a reflection of social activity. There is (also) no feeling which the individual can fix upon except in social form. The raw-material we study is never found in one man by himself...but in group (Bentley, 1908 in Irokansi, 2020).

The emphasis is that power is nothing but a competition among contending interest groups against each other to secure the mandate for sharing the wealth of nation (Osabiya, 2015). By way of application of the Group Theory therefore, Nigeria is a political society and environment comprising of various groups with varying degrees of interests. These groups engage in group-game in which, in their respective tactics and efforts to outwit others to achieve their various interests each group cuts across many others by the use of different strategies. Some of such tactics include "threat, intimidation, intrigues and even blackmail", and sometimes propaganda or brute force.

The relevance or suitability of Bentley's Group Theory to this study lies not just in its explanatory capacity and suitability to the present study but also in its enablement to identify the Legislature (National Assembly) and Executive (Presidency), as well as other competing interests and powerful individuals contending among themselves to attain and realize their respective groups' interests in the politics and governance of Nigeria.

Furthermore, as the representative of the people, the Legislature and Executive compete for domination as a means to achieve their other relevant groups' interests. These interests usually include domination over legislative policies, programmes to be implemented, the issue of appropriation of resources/revenue,

expenditure, distribution and redistribution of constituency projects, appointment of government officials as well as the leadership of state defence and security heads, etc.

In each of the above contentious issues, it is evident that the Legislature and Executive have had different views and interests hence the competition. As expected however, in the process of this competition, these two organs of government, within the period under review, had their relationship dictated by ethnic affiliation hence the nature of the relation which existed between them and by extension the nature of governance which manifests in “national absurdity, degradation, frustration, exclusiveness and stultification”.

### **Methodology**

Given its historical nature, the paper has employed descriptive method as a qualitative technique to explain reasons for the nature of Legislature-Executive relation in the period under review. Thus, the paper has relied exclusively on secondary sources of data such as unpublished theses, internet materials, government publication and so on.

### **Data Presentation and Analyses**

#### ***Q: How is Ethnicity Implicated in Legislature-Executive Relation in Obasanjo’s and Buhari’s Administration?***

Generally, in every presidential constitutional democracy, no arm of government is neither completely independent of others nor is expected to lord it over other arms of government. In Nigeria however, scholars have observed that the:

Manner of the relationship between the three arms of government...is still characteristic of a government by the military where the executive arm takes over every policy issues and relegates the legislature to the background. It is no longer news that the executive arm of government appears to undermine the legislature at all levels” (Jerry, 2018).

The question is why is the situation as it is? Are legislators not aware of their constitutional powers? If the Executive acts ultra-vires or reckless, can’t the Legislature invoke its power of impeachment? These are relevant questions considering that the principle of Checks and Balances is all about “carrot and stick” approach. Why have the National Assembly (Legislature) responded to Executive’s recklessness with kids glove overtime?

#### ***Obasanjo Administration (1999-2007)***

Recall the Odi massacre! Odi massacre was an attack by the Nigerian military on a small community of about sixty thousand people from 20<sup>th</sup> November, 1999. Odi is predominantly Ijaw town in Bayelsa State. The attack resulted from an ongoing conflict over rights to oil resources and environmental issues in the Niger Delta generally (Simon, 2017). The military operation commenced with the use of “heavy artillery, aircraft, grenade launchers, mortar bombs and other sophisticated weapons (“Nigeria: Odi Massacre Statements, 12/23/99”:www.africa.upenn.edu). The destruction was “so complete...that crops were razed...” , leaving one with the conclusion that Odi invasion may have been premeditated perhaps to provide easy passage for oil multinational companies (www.africa.upenn.edu). No other conclusion fits after dissecting the speech of then Minister of Defence, General T.Y. Danjuma. In a Ministerial Conference on November 25, 1999, he callously said:

This Operation Hakuri II was initiated with the mandate of protecting lives and property- particularly oil platforms flow stations, operating rig terminals and pipelines refineries and power installation in the Niger Delta (Ali, 1999).

The above sarcastic assertion provides the “scorched-earth objective of the invading troops”, completely contrary to the officially-given objective. If it was not genocide-intended to prepare grounds for oil companies such graffiti as: “Bayelsa will be silent forever”, among others would not be seen on the walls of destroyed buildings. The question is, could the entire episode be unconnected with same “historical political alienation,

economic deprivation, environmental devastation, physical brutalisation...” that the people of old eastern region had been subjected to ever after the civil war?

Prior to the attack however, it was alleged that 12 police officers had been killed “by gang near Odi” (Human Rights Watch, 1999). Thus, the immediate cause of the attack was in retaliation of the killing of the 12 police men. Every building in the community except the Bank, Health Centre, and the Anglican Church were burnt to ground level. Odi laid in ruins! If killing of 12 police officers was the reason for the pogrom, how many of similar military siege have been laid in Lagos or in the North where several police officers had been killed in civil unrests?

Reports vary concerning the number of casualties or the death toll. The Human Rights Watch put it at “several hundred dead are entirely possible” and later at 2,500 (Human Rights Watch, 1999); 43 (Ebuka, 2019); 66 (Norimitsu, 2001); 43 by Federal Government (Punch, December 16, 2017).

Tari Bolou, a former Commissioner in Bayelsa state and a son of the soil recounts:

On that day in 1999, it appeared that the entire military, the entire security forces of this country came to unleash mayhem on the community. They (military) took over the entire area from Mbiama down to Patani. There was a total lockdown. Chief Olusegun Obasanjo was the President of the country then (Simon, 2017).

Reading thoroughly through Simon’s (2017) account, you discover that the entire sordid incident was ignited by “Mr. Jokotola, a police area commander, said to have come from Abeokuta, the same local government as our former president (Obasanjo)” (Simon, 2017), who died in the incident, and who Obasanjo “decided to avenge the death” (Simon, 2017). Could any other reaction be more ethnic than this?

Obasanjo’s reaction and response was a direct response of the Executive as the Head of State and Commander-in-Chief of the Armed Forces. When he (Obasanjo) finally visited Odi on March 15, 2001, one year five months after the cleansing, he was reported to have remorselessly warned:

Let this not repeat itself. If it repeats itself, we will come by sea, by road, by air and I will not be there to control my boys. However, if Prof. Isoun rebuilds his house, I will come and spend my weekend in Odi (Simon, 2017).

That was the kind of words which proceeded from the mouth of an elected president who swore to an oath to defend and protect the people and constitution of the Federal Republic of Nigeria. The slain Odi people are Nigerians the human symbol of the Nigerian Constitution he swore to defend! The Odi massacre approximates a pogrom which passes for an external aggression. The people of Odi were handled with “diamond hands”, it being the strongest substance in the world (Simon, 2017). For further proof of the attack’s ethnic content, President Obasanjo’s Special Adviser on Media and Publicity, Dr. Doyen Okupe capped it when he said:

I wish to make it categorically clear that government, by this act, has not violated any internationally acceptable human rights provisions as practiced elsewhere in the developed world...How can it be said that a carefully planned and cautiously executed exercise to rid the society of these criminals is a violation of human rights? (Punch, (Lagos), December2, 1999, in [www.hrw.org](http://www.hrw.org)).

Perhaps, the king of Odi who was shot in the leg and who later died (Simon, 2017) was also a “criminal”, and if he was, how many criminals in Yoruba land have led to the cleansing of an entire community?

### ***Legislature (National Assembly) Response to Executive Recklessness in Obasanjo’s Administration, 1999-2007***

A popular country music singer Don Williams, once said, “Black is Black”, “White is White”! The Senate in conjunction with the House of Representatives passed a resolution on November 25, 1999, mandating President

Obasanjo to withdraw all troops from Odi (“The Destruction of Odi and Rape in Choba”, www.hrw.org, 1999). Yet, the military were there for months. That was followed by a Bill initiated by Obasanjo for the establishment of a Niger Delta Development Commission (NDDC), a bill hurriedly passed by the Senate led by Chuba Okadigbo, which the House of Representatives led by Salisu Buhari (1999-2000) hesitated to pass (Human Rights Watch, 1999). In September, 2002, the House of Representatives, ably led by Hali Umar Na’Abba (2000-2003), through Hon. Farouk Lawan, Chairman of the House Committee on Information initiated move to impeach Obasanjo, on 17 constitutional breaches among which were non-implementation of budget as contained in the appropriation laws for past three years and internal military operation Obasanjo “authorised at Odi, in the southern oil region, in 1999”, as well as “Zaki Biam, in central Nigeria, in 2001, during which hundreds of civilians were killed by rampaging troops” (“House gives reasons for Obasanjo impeachment threat”.www.thenewhumanitarian.org, 2002). Besides, Obasanjo was accused of flying ethnic flag. A commentary for This Day (Lagos) (2002) puts it more succinctly that Obasanjo:

...has exercised rulership aplenty, albeit at times, crude forms of it, but not leadership...he has not steered the nation away from ethnic myopia; he hasn’t dignified the presidency by making it a moral pulpit in a nation of wanton charlatanism...and he has failed dismally to find a coherent voice and articulate a vision and direction of change (Sam, 2002).

If Obasanjo had been handled constitutionally by the Legislature after the Odi massacre, the Zaki Biam incident in 2001 would not take place.

Under the 1999 Constitution of Nigeria, the President (Obasanjo) is required to obtain clearance from the National Assembly before ordering such military operations. Since he breached this provision, he was liable for impeachment. Therefore, Obasanjo was given 14 days to respond. The two weeks actually elapsed with Obasanjo not only defying the order of the lower House, but also “ridiculing it as a joke taken too far” (“Nigeria:Focus on moves to impeach President Obasanjo”, <https://reliefweb.int>, 6 September, 2002). Consequently, the Upper Chamber (the Senate) “threw its weight behind the House of Representatives’ impeachment threat, on 27 August”. In the end, rather than legislators of both Houses of the National Assembly teaming up to handle Obasanjo’s case on the strength of its merit or the feasibility of the allegations, Obasanjo succeeded in dividing them along “ethnic fault lines”. This is not unconnected with the kind of power play in a country in which the different ethnic groups are persistently contesting for power. For instance, while some legislators from the north and east wanted him impeached, those from the west, including governors of “the six south-western states” who were even from a different party, Alliance for Democracy (AD), as well as Oodua People’s Congress (OPC) militia group insisted he must not be impeached. Their argument was that, impeaching Obasanjo was a calculated attempt to rubbish the Yoruba ethnic nationality. In addition, it was believed that:

The understanding in 1999 was that it is the turn of the south to produce a president. If Obasanjo should go and his deputy, (Atiku Abubakar) a Muslim northerner, steps in, there is bound to be trouble (:”Nigeria: Focus on moves to impeach President Obasanjo”, <https://reliefweb.int>).

Apart from the ethnic undertone the impeachment crisis acquired which contributed in frustrating the move, Obasanjo’s administration fired back with the threat of launching “a corruption investigation of various government entities, including the National Assembly (“Nigeria Lawmakers Expected to Abandon Obasanjo Impeachment”, voanews.com, August 26, 2002). As expected, virtually all legislators scampered for cover at the mention of “corruption investigation”. On October 17, Senator Francis Arthur Nzeribe announced that 72 out of 109 Senators had accepted to detach themselves from the impeachment move. That was how an accusation of 17 violations of the Constitution, and the souls of the dead during the Odi massacre were dismissed and hung on the altar of ethnic-breed, docile and corrupt Legislature.

#### ***Buhari’s Administration (2015-2020)***

Buhari was a military head of state. In military government the norm of “executive fiat” is usually the case. This culture became entrenched in the political psyche of majority of political elite whose orientations are also



attached to divisive politics. Besides the ethnic-oriented culture, the norm of obligation/obedience rather than consent gained traction. When Buhari captured power as the civilian president of Nigeria in 2015, he imported the militarized or commandist notion of governance and politics. Thus, Buhari leads the Executive virtually without appreciating the dynamics of democratic legislative process. Therefore, “debates, arguments and open deliberations by lawmakers are often times... viewed with suspicion and disdain”, even by a “wide spectrum of Nigerians, including the press” and other competing centres of power (Irokansi, 2020). This culture has greatly affected the overall behaviour of Executive and the nature of legislators’ reaction to Executive excesses.

It is on the basis of the foregoing that the understanding of why Buhari’s administration has been dominated by “arm twisting or survival squabbles... between the executive and legislative arms of federal government” (Irokansi, 2020) begins. Consequently, not used to the practice of disagreeing openly with the president (as is easily the case in military regimes), many Nigerians (including the legislators) are quick to regard such as “confronting the president” (Okoye & Nnabugwu, 2008, p.185). For this reason, scholars have also joined in interpreting disagreements between the Executive and Legislature as “conflict” relationship which is also misperceived as detrimental to democratic consolidation and good governance.

To avoid such “conflict-ridden” relationship Buhari, right from inception intensified his war of attrition against the National Assembly (Legislature) and its leadership in his effort to invade and usurp the powers of the Legislature (Irokansi, 2020). This attempt was not possible for him when Dr. Bukola Saraki and his group who got themselves installed as the leaders of the two chambers of the National Assembly. Thus, the victory of Saraki and his group rattled and startled Buhari and his ruling All Progressive Congress (APC) Party leadership (Azimazi, 2018). Having failed in his bid to install his preferred candidate in the Senate and House of Representatives, Buhari resorted to using security agencies and the court to terrorize the Senate President and the Principal Officers. In the end, Buhari’s efforts against Saraki and others failed while Saraki and his men became even more popular. Perhaps, that is why there was not much recklessness by the Executive in Buhari’s first tenure as it is in this second tenure.

The foregoing assertion introduces the reason why in the 9<sup>th</sup> Assembly, Senator Ahmed Lawan and Hon. Femi Gbajabiamila were “handpicked by the party leadership” (Eromo, 2019). Buhari did not want 2015 story to repeat itself because: “Back in 2015, both men were pencilled down for the same roles but lost bitterly to Bukola Saraki and Yakubu Dogara, maverick politicians who snatched victory from the jaws of political godfather within the path...” (Eromo, 2019).

With the duo-stooges in the leadership of the National Assembly, Buhari relished the “victory” when he said: “Relations between the Executive and the Legislature were not the best in the 8<sup>th</sup> National Assembly” (Eromo, 2019).

At the same time, in what appeared quite cameleonic and ironical, Buhari enthused further after Lawan’s and Gbajabiamila’s victory:

Let me make it clear that the Executive does not desire a rubber stamp legislature. And while separation of powers is essential, collaboration among all Arms of Government should be the name of the game. Opposition need not be virulent (Eromo, 2019).

This study is not in any way advocating “virulent” opposition. At the same time, this study is insisting that “collaborative” relationship between the Legislature and Executive without the necessary signs of democratic consolidation and good governance, is worst than “virulent opposition” which gives Nigerians the needed democracy dividends. With Lawan and Gbajabiamila at the leadership of the National Assembly, ethnicity became the deciding content of Legislature-Executive relationship. This conclusion is necessitated by the fact that: “With the passage of the new order, it is expected that the legislature will allow the executive to act more quickly, even if questions arise over its independence...” (Eromo, 2019).

The interpretation of the above assertion is that having gotten an easy passage with the installation of the preferred candidates in the National Assembly, the Executive and the ruling APC Party have no excuses for “the second Buhari presidency not to deliver”. Perhaps, Buhari’s second tenure is the first civilian administration in Nigeria when the Senate President is from the same region as the Chief Executive. With Senator Ahmed Lawan, (the President of the 9<sup>th</sup> Senate, from Yobe North, in North-East), Senator Ovie Omo-Agege as Deputy Senate President from Osun State (in South-West); Hon. Femi Gbajabiamila from Lagos State (in South-West), and his deputy Ahmed Wase from Plateau State (in North-Central), the ethnic relationship between the Legislature and Executive became entrenched. There is no more opposition as the Executive and the ruling APC continue to have their way. For instance, consider the following pro-North security appointments:

**Table1: SecurityAppointmentsbyBuhari**

S/N	NAME	OFFICE	PLACE OF ORIGIN
1	Lt Gen. Abdulrahman Dambazau (Rtd)	Minister of Interior (to control Prisons Service, Fire Service, Customs Service and Civil Defence Corps	Kaduna State
2	Lt. Gen. Tukur Yusuf Burtai	Chief of Army Staff	Borno State
3	Maj-Gen. Babagana Monguno	National Security Adviser	Borno State
4	Brig-Gen. Mansur Dan Ali (Rtd).	Minister of Defence	Zamfara State
5	Air Marshal Sadique Abubakar	Chief of Air Staff	Bauchi State
6	Ibrahim Idris	Acting Inspector General	Niger State
7	Abdullahi Muhammadu	Commandant General of the Nigeria Security and Civil Defence Corps	Niger State
8	Lawal Musa Daura	Director-General of the Department of State Services	Katsina State
9	Gen. Abayomi Gabriel Olonisakin	Chief of Defence Staff	Ekiti state
10	Alhaji Ja’afaru Ahmed	Comptroller-General of the Nigeria Prison Services	Kebbi state
11	Boboye Oyeyemi	Corps Marshal Federal Road Safety Commission	Kwara state
12	Vice- Admial Ibok-Ete Ekwe Ibas	Chief of Naval Staff	Cross River state
13	Ayo Oke	Appointed by Goodluck Jonathan and retained by Buhari: Director-General of the National Intelligence Agency	Oyo State
14	Joseph Anebi	Appointed by Goodluck Jonathan and retained by Buhari: Comptroller-General of the Federal Fire Services.	“ is also from the North”
15	Sani Didi	Appointed by Goodluck Jonathan and retained by Buhari: Director-General of the National Emergency Management Agency	Kaduna state

*Source:Compiled by the author with data from: Dayo, Fisayo and Jesusegun (n-d) “Southern groups knock Buhari’s Pro-North security appointments”.www.punchng.com-deli*

From the foregoing, only three security agencies are headed by people from South-West. Where is the South-East (the Igbo) in particular? Where is the “federal character” embellished in Nigeria’s Constitution? One of the

constitutional responsibilities of the Legislature is to approve appointments by the Executive. What then was the National Assembly’s response? As if the lopsided security appointments were not enough, the ministerial appointment, when out of the 36 ministers, 24 came from the North, can be explained as what? Perhaps, the appointments were made “on merit” and by implication only the Northerners have merit! Mr. Victor Bombo, the Ijaw National Congress spokesperson may have provided the answer when he said that the President (Buhari) was “tribalistic” and not “interested” in the “country’s diversity”. (Dayo, Fisayo & Jesusegun,n.d)

The lopsided appointment with no response from the National Assembly is perhaps the reason for genocide across the country still with no response from the National Assembly because when the:

...apparachiks are meeting, it is a section of the country that is being represented, it means that the views of other sections are not accommodated...That kind of arrangement is a situation from which genocide germinates because there is no balance in the security architecture of the country. This is not healthy for the polity (Dayo, Fisayo & Jesusegun, n.d).

What the above assertion suggests is that the Executive is promoting a Northern agenda while a docile and ineptitude National Assembly looks on helplessly because the leadership coming from same region(s) are already in the league of the ethnic plan. That is the reason for the nature of security in Nigeria with Fulani

S/N	NAME	PLACE OF ORIGIN	Herdsmen on rampage, killing more Nigerians than even Boko Haram. Consider the recent appointment of Justices of the Supreme Court of Nigeria.
1	Hon. Justice Lawal Gbarba	North West	
2	Hon. Justice Helen M. Ogunwumiju	South West	
3	Hon. Justice Addu Aboki	North West	
4	Hon. Justice I.M.M. Saulawa	North West	
5	Hon. Justice Adamu Jauro	North East	
6	Hon. Justice Samuel .C. Oseji	South-South	
7	Hon. Justice Tijjani Abubakar	North East	
8	Hon. Justice Emmanuel A. Agim	South-South	

**Table 2: Appointment of 8 Nominees as Justices of Supreme Court**

*Source: Henry, Omoru (2020). “Nigeria Senate Confirms Appointment of 8 Nominees as Justices of Supreme Court”. Vanguard (Lagos). 13 October, 2020.*

The above appointment was “confirmed”, better still rubber-stamped by members of the Senate elected to check and balance appointments by the Executive! (Henry, 2020). No one from South East! Yet, the Senate confirmed it! Is that the kind of “cordial” relationship between the Legislature and Executive that we need? If the Senate had insisted on bringing justices from the South-east also, would it have been described as acrimonious relationship? Now that there is “collaborative” relationship between the Legislature and Executive, can we see elements of ethnicity and trading of interests between the two organs? Is there evidence of good governance in Nigeria presently as claimed by the Senate President, Ahmad Lawan, when he said, “NASS will continue to be a rubber stamp if it will guarantee good governance” (Wale, 2020)? Are herdsmen terror, hyper inflationary trend,

#EndSARS protests, high rate of suicide, Boko Haram terrorism, hues and cry over hunger, etc., signs of good governance? Yet, the National Assembly is satisfied? Do we need any other evidence?

### **Conclusion**

Both conflict and cordial relation between the Legislature and Executive are necessary. Conflict relation is detrimental in the short-run but beneficial in the long-run. Cordial relation is beneficial in both short and long-run, while undue collaboration is permanently detrimental because it leads to trading of interest. Due to ethnicity, what obtained/obtains in Nigeria under Obasanjo and Buhari respectively was/is undue collaborative relation aimed at short-changing some ethnic groups especially the South-East. No legislator wants a chief Executive from his ethnic region to be removed before completing his circle of eight (8) years. That is the basis for ethnic-oriented Legislature-Executive relation in Obasanjo and Buhari administration.

### **Recommendations**

The “why” of the nature of Legislature-Executive relation during Obasanjo and Buhari administrations has been established. There is need to restructure the present structure/system in favour of all sections of the country. Without restructuring, Nigeria heads to a precipice.

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