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EXECUTIVE-LEGISLATURE RELATIONS AND BUDGET PROCESS IN DEMOCRATIC PRESIDENTIALISM

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The paper examines the executive-legislature relations within the framework of the budget process. The paper is fundamentally structured on democratic presidentialism that necessitates the necessity of the application of the doctrine of separation of powers and principle of checks and balances which emphasized that despite all these, executive-legislature acrimony is given where each institution of governance comes into conflict with one another in discharging their constitutional responsibilities. Consequently, the paper concludes that, cooperation between and among these institutions though desirable but equally necessary in achieving effective budgetary process in the Nigeria's democratic governance.

Key word: Budget, checks and balances, executive, legislature, separation of powers.

INTRODUCTION

In this era of democratic expansionism, the dynamism of governmental institutions grows rapidly in many democracies particularly in Africa and Latin America. The trend, in some countries, requires greater roles of executive and legislative institutions, especially in budgetary process, as catalyst for growth and development. These roles have been confronted with a number of challenges that are largely driven by many factors, including the increased political concerns on macroeconomic policies due to challenges that bother on poverty, hunger, unemployment and inflation among others affecting countries (Kim and Park, 2006) which have equally become a source of concern to virtually all the nations in the world.

Even among the advanced democracies like the United Kingdom (UK), which to a greater extent is supposedly regarded as a role model of parliamentary system of government, measures were taken with a view to achieving effective legislative procedures in managing public finance. Hence, the need to tackle the inherent challenges is extremely desired (Posner and Park, 2008) as a prerequisite for achieving a sound and effective budgetary policy for the country.Budget as an instrument of public finance is critical in curtailing a number of challenges. This is because, each number of increment in a country's wealth stimulates economic growth which also increases citizen's disposable income while at the same time helps create new government policies and program for the benefit of the entire citizenry. Thus, "reinforcing citizens beliefs that their system of government works to their advantage and that their taxes are being well spent by a government that is equitable, stable, and efficient" (Levine, 1980).

Interactions between the executive and legislature within the context of budget process should form the basis of any government that is responsible and really clamors for a truly socio-economic and political development. This is because of the constitutional division of roles and responsibilities between and among the executive and legislative institutions which influences the effective budgetary process in a given political arrangement (Lienert, 2005). For instance, in a presidential system of government being practiced in the United States of America (USA) and Nigeria, the legislative institution plays significant roles in the making of budget policy while the executive institution on the other hand is solemnly charged with the responsibility of implementing the budget with a view to achieving the desired socio-economic and political development.

In the Nigerian constitutional arrangement, powers to scrutinize, approve and oversight budget policy is the statutory roles of the legislature while budget formulation, assent, implementation, monitoring and evaluation remained the statutory powers of the executive as enshrined in the 1999 Constitution of the Federal republic of Nigeria (CFRN, 1999) and other extant laws of the federation such as the Revised Financial Regulations (RFR). This by implication formed the basis for public budgeting and accountability in the nation's financial transactions and dealings (Dodd and Oppenheimer, 2013). In spite of these constitutional arrangements, there exist conflicts between and among these major institutions of governance over the misconception of roles and powers to process the budget policy. These conflicts which are indeed avoidable create unnecessary delays in budget approval hence, affect its full implementation. This is rightly captured: "when there is delay in approving a budget proposal, it affects the nation's economic growth and many jobs would be certainly lost, thereby saturating the labor market and endangering the economic growth and development" (Babalola, 2017). These therefore, provide good case problems for the paper.

Executive legislature relations in presidential democracy: The change mantra in the global politics in different parts of the world influences many countries to adopt either a presidential or parliamentary system of governance. The relationship between the executive and legislative institutions has therefore, been built along any form of these democratic political system with a view to determining their workings and functionality (Cheibub and Limongi, 2011). Essentially, the factors that fundamentally differentiate the two systems lies within their origin, structures, functions and practices (Hammond and Butler, 2003). These could be glaring in the workings and operational dynamics of the presidential system of government, which influences the executive-legislature relations hereunder: The President is duly elected in a general election either directly or through an Electoral College system as in the case of the USA (Shugart and Carey, 1992). Legislatures on the other hand are elected in parallel with the President and collaborate on the basis of the doctrine of separation of powers and checks and balances. Impliedly, there exist a number of similarities and differences in their mode of operations as clearly provided by the extant laws of the federation (Hammond and Butler, 2003). This could be glaring in their processes, procedures and operational dynamics.

The President when elected statutorily holds office for a constitutionally fixed term and until that prescribed term ends; he/she cannot be sacked by legislative votes of no-confidence even if he/she goes contrary to their wishes and aspirations (Cheibub, 2007). However, it may be possible under the provisions of the constitution to remove a President for breach of thrusts by way of impeachment (Lijphart, 1984). But, that impeachment comes as a last option and does not, however, come as a result of a mere political disagreement between the executive and the legislature (Riggs, 1997). Impliedly, the tenures of each of the elected executive and legislatures which are predetermined by the constitution do not rely on any mutual confidence in its survival, stability and continuity (Cheibub, 2007).

The executive arm of government is constitutionally responsible for the overall implementation of government policies and program which were earlier approved by the legislative arm of government (Samuels and Eaton, 2002). In this case, the President has overwhelming powers to run the executive institution that made up of Ministries, Departments and Agencies (MDAs) as provided in the nation's bureaucratic constitutional arrangement (Nijzink *et al.*, 2006). Thus, the executive powers and responsibilities are statutorily shared among these MDAs with a view to providing effective and efficient governance of the state.

The President under the presidential arrangement is the chief executive and is in full control of cabinet which he/she has constitutional powers to form. This cabinet is, therefore, responsible to him on any government policies and program (Idahosa and Ekpekurede, 1995). Equally, members of the President's cabinet are his/her subordinates and any policy adopted by the President remains enforce with or without their consents (Cheibub, 2007). Thus, the presidential powers and responsibilities under this arrangement are quite enormous and complex too.

Consequently, these salient issues formed the basis through which the presidential system works and have been widely practiced in different countries (Akinsanya, 2005). The stability and success of presidential democracy, therefore, hinge on the executive and legislative collaboration in making and implementing sound policies and program in the country. However, the perceived conflicts among these institutions certainly undermine the effective and efficient workings of the budgetary process (Lijphart, 1984). Essentially, presidentialism is more inclined to executive-legislature's rancor and acrimony due to observed feelings of supremacy by these institutions of governance (Cheibub, 2002) and largely explain the weak policy outcomes in the socio-economic and political spheres (Hammond and Butler, 2003).

This accounts for most of the persistent conflicts recorded in a number of democratic regimes, especially in Africa and Latin America. In most cases, the alleged conflicts and struggles over policy issues between the executive and legislative institutions have indisputably been attributed to presidential system of government (Cheibub, 2002). Thus, the system is inherently chaotic, structurally problematic, likely to generate crisis, chronically incapable of dealing with crisis once erupt and hence undesirable for the realization of the much anticipated democratic goals in the country (Lijphart, 1984). This could be glaring in the budget impasse where legislature in most cases, refuses to approve the budget policy on account of alleged executive's failure to strictly abide by fiscal procedures or the executive's denial to assent budget on account of alleged budget padding hence, budget delays which affects its full implementation in the country.

Ironically, the problem of democratic presidentialism is not a function of conflicts which affects the workings of these institutions rather; it operates in countries where the democratic principles are structurally unstable. This informed the application and compliance with democratic values such as the separation of powers with checks and balances necessary for various opinions and interests expressed and represented in public policy process (Abonyi, 2006) in order to achieve desired objectives of the state. Thus, the conflictual nature of the executive-legislature relations cannot be a function of presidential system being practiced but, the inherent nature and character of the political system observed in a given country. In essence, therefore, presidentialism as a system of government with all its attendant weaknesses seems to be widely accepted and practiced especially in new democracies including Nigeria.

Executive legislature relations and budget process: Public finance is a very important factor for socio-economic and political development and has long in the years remained so irrespective of the system and structure of governmental institutions in place. This is particularly because; finance is an indispensable pillar that really shapes the developmental trends of any state in the global society (Akindele and Ayeni, 2012). The size and complexity of a country's wealth determine its overall relevance and influence in the eyes of the global community. This is evident in state's development indicators such as growth in Gross Domestic Product (GDP), huge foreign reserves, consistent price stability, favorable exchange rate, positive balance of payment (BOP),reduction in poverty and unemployment rates and a sound budget that creates a value chain for agriculture, manufacturing, infrastructures and human capital development among other sectors of the economy (Opurum, 2018) as government alternative measure in its drive towards the diversification of the nation's economy.

Budget as a component of public finance is a proposed financial statement that sets out the forecast on the estimation of revenue and expenditure of government and its institutions for the coming year (Wildavsky, 1987). It is equally an instrument through which institutions systematically interact over goals by making inputs in form of budget policy and facilitate the accomplishment of state objectives (Akindele and Ayeni, 2012). In this case, successful budget is a function of collaboration between the executive and legislature in identifying sets of government priorities with a view to processing them in the best interest of a country. Jackson (1984) also identify budget as a planning device used for the forecast of government scarce and limited resources in future government program. Thus, budget as a harmonizing document provides detailed allocations and controls of funds over differentiated components of governance in a country.

Generally, executive and legislative institutions are major stakeholders in the budget process in an ideal democratic presidentialism although, their respective roles and powers fundamentally vary from one country to another and are widely influenced by a number of factors including the wider historical, constitutional and political settings (Posner and Park, 2008). In this case, budget formulation under the presidential arrangement is clearly within the purview of the executive. This is subject to scrutiny, alteration and/or approval by legislature as determined by the legal framework of a given country (Ekpu and Iwocha, 2017). This is glaring in the budgetary process by the United States Congress, which by constitution is empowered to scrutinize and effect alteration by reducing or increasing figure to proposed revenue and expenditure of the government. This is also extended to change funding levels by way of adding or subtracting projects and program not earlier requested by the executive arm of government (Hemming *et al.*, 2013). Consequently, the United Nations Children's Fund (UNICEF, 2016) in its periodicals identified the fundamental stages of the budget process in presidential democracies hereunder: The processes involved in passing a budget in a democratic presidentialism begin with the executive arm, comprising of MDA sand coordinated by a dedicated unit that has the principal responsibility for developing the budget. The legislative arm typically scrutinizes and enacts the budget into law, and may play a significant role in shaping it through committees of legislators. Nongovernmental Organizations (NGOs) and other entities outside a National Government, often play a significant role in influencing the budget decisions. Having approved the budget by the legislatures, the financial unit of Government then has the responsibility of executing and administering the budget. Finally, the Government has the responsibility for oversight of the budget implementation, which may fall to a specific body of audit or the legislatures (UNICEF, 2016).

In the Nigerian context, one of the fundamental powers exercised by the legislative institution, the National Assembly is powers to make laws in relation to government revenue and expenditure (Mowoe, 2003). Hence, the constitutional framework for budget passage (appropriation) by the Federal Government of Nigeria (FGN) is governed by sections 59, 80 and 81 of the Nigerian Constitution as well as the Fiscal Responsibility Act (FRA) and Revised Financial Regulations (RFR) among others. For instance, Section 80 (2) states that: "no money shall be withdrawn from the Consolidated Revenue Account (CRA) of the federation except to meet expenditure that is charged upon the funds by the constitution or where the issue of those funds have been authorized by an appropriation act, supplementary act or an act passed in pursuance of another section of this constitution."

Invariably, Section 81(1) of the constitution, Shehu (2012) clearly provides as thus: "the President shall cause to be prepared and laid before each house of the National Assembly at any time in each financial year estimates of expected revenues and expenditure of the federation for the next following financial year". However, these powers have been challenged as legislatures have asserted new roles and responsibilities which are largely driven by economic, political and constitutional factors in the country (Johnson, 2005). This could be seen in the recent budget scandal where the legislatures allegedly manipulated new projects in the budget that suit their selfish interests while the executive arm on their part interprets this act as purely budget padding and hence, declined assent to the appropriation act.

Consequently, the executive and legislative stalemate, does not only lead to imminent delay in the budget approval, but, also have serious consequences in the implementation segment by way of releases and utilization of approved funds. There were many instances of budget delay in the passage of appropriation acts over the alleged misconception of powers in increasing or reducing the sectoral provisions earlier formulated and presented by the executive arm of government, hence; "budget delay does not help the recovery process and budget is unduly prolonged" (Odebode *et al.*, 2017). Thus, harmonious relationship between the executive and legislative institutions leads to efficient and timely budget process while hostile relationship leads to rancor and delays in achieving the desired results. Reliable data from the Budget Office of the Federation (BOF) reveals that budget delay which forms the time frame recorded under the present administration in passing a budget document could be seen as follows in table 1:

S/N	Year	Presentation date	Approval date	Assent date	Timeliness
1.	2016	22-12-2015	23-03-2016	07-05-2016	3 Months
2.	2017	14-12-2016	19-05-2017	12-06-2017	5 Months
3.	2018	07-11-2017	16-05-2018	20-06-2018	6 Months

Table 1: Time frame for budget passage. Source: BOF Reports (2018).

To this end, therefore, executive and legislature as major institutions of democratic governance have fundamental roles to play, especially on fiscal responsibilities of any country. However, the legislative roles are being threatened by the executive influence couple with the legislature's weaknesses in exercising their full constitutional responsibilities (Akindele and Ayeni, 2012). This largely undermines the legislative relevance in the eyes of the public in performing its statutory functions on a number of strategic policies and program, particularly in the spheres of budget policy of the nation (Ayatollahi *et al.*, 2005). This, therefore, calls for government collaborative and cooperative effort by improving mutual relationships and averting conflicts between the executive and legislative institutions with a view to realizing the overall objectives of the state. This among others creating conducive atmosphere for achieving the nation's socioeconomic and political development.

CONCLUSIONS

The paper examined the statutory roles of the executive and legislature within the context of the budget process as well as other activities and delays experienced in the course of the budget process in the country. This is quite necessary in order to minimize conflicts, frictions, chaos and fiscal impasse between the executive and legislative institutions. It is in the light of this therefore, that the paper broadly concludes that there are apparent misconceptions on the statutory roles and powers of these institutions which call for judicial interpretations as contained in the various extant laws of the federation for strengthening efficiency in making and implementing a sound budget policy without hiccups. Budget in this case, is considered effective and efficient only when it impacts positively on the lives of the entire people, thereby helping in stimulating the economic growth and development which would go a long way in improving the overall macroeconomic objectives of the entire nation. Hence, requires collaborative efforts by the executive and legislative institutions in designing a budget that leads to the overall development of the nation. Although, this process could be slow and rigorous but, is a price that, government and its people ought to pay for effective doctrine of separation of powers and principles of checks and balances work in a presidential system of government. Thus, disagreements on principles between and among the executive and legislature over budget process doesn't suggest an anarchical or lawlessness, but, are indeed ought to be built within the constitutional framework as well as preventing the threat of domination of one institution over another.In essence therefore, understanding the workings of various governmental institutions is highly desirable in achieving the desired socioeconomic and political development.

REFERENCES

Abonyi, N. N., 2006. Inter-governmental relations in democractic federations. John Jacob's Classic Publishers.

Akindele, S. T. and O. O. Ayeni, 2012. Democratic governance and participatory budgeting: A theoretical discourse of the nigerian experience. Global journal of human-social science research, 12(12): 117-112.

Akinsanya, A., 2005. The judiciary and interpretation of aspects of the 1979 nigerian constitution 1979-1983. Readings in Nigerian government politics, 10(2): 177.

Ayatollahi, M., E. Sector, I. F. Lara, R. Suggestions, A. Locatelli and H. Grotius, 2005. The us and the norms of international humanitarian law by matthew a. Evangelista.

Babalola, A. A., 2017. Recurring delay in passage of budget: Matters arising. Vanguard news, June 14.

CFRN, 1999. Amended constitution of the federal republic of nigeria. Abuja: Federal government printer.

Cheibub, J. A., 2002. Minority governments, deadlock situations, and the survival of presidential democracies. Comparative political studies, 35(3): 284-312.

Cheibub, J. A., 2007. Presidentialism, parliamentarism, and democracy. Cambridge University Press.

Cheibub, J. A. and F. Limongi, 2011. From conflict to coordination: Perspectives on the study of executive-legislative relations. Lbero-American journal of legislative studies, 1(1): 38-53.

Dodd, L. and B. Oppenheimer, 2013. Congress reconsidered (10th Edition). Los angeles: Sage publications limited.

Ekpu, A. O. and P. I. Iwocha, 2017. Powers of the executive and legislature in budget making process in nigeria: An overview. Pol'y globalization, 57: 44.

Hammond, T. H. and C. K. Butler, 2003. Some complex answers to the simple question 'do institutions matter?' policy choice and policy change in presidential and parliamentary systems. Journal of theoretical politics, 15(2): 145-200.

Hemming, R., P. Barry and R. Allen, 2013. Relationship between legislative and executive branches: The international handbook of public financial management. Basingstoke, United Kingdom: Palgrave Macmillan.

Idahosa, S. and W. Ekpekurede, 1995. Ideas and forms of organisation of government. Politics government: An Introductory comparative perspective, Benin City: Uri Publishing Ltd.

Jackson, P. M., 1984. Public sector economics. In: Information sources. Elsevier: pp: 310-316.

Johnson, J. K., 2005. The role of parliament in government. World bank institute, Washington, DC.

Kim, J. M. and C.-K. Park, 2006. Top-down budgeting as a tool for central resource management. Journal on budgeting, 6(1): 87-125.

Levine, C. H., 1980. Managing fiscal stress: The crisis in the public sector. Qc Press.

Lienert, M. I., 2005. Who controls the budget: The legislature or the executive? : International Monetary Fund.

Lijphart, A., 1984. Democracies: Patterns of majoritarian and consensus government in twenty-one countries. Yale University Press.

Mowoe, K. M., 2003. Constitutional law in nigeria. Malthouse Press.

Nijzink, L., S. Mozaffar and E. Azevedo, 2006. Parliaments and the enhancement of democracy on the african continent: An analysis of institutional capacity and public perceptions. The journal of legislative studies, 12(3-4): 311-335.

Odebode, N., J. Ameh, F. Soriwei, E. Amaefule, I. Onuba, L. Baiyewu and O. Nnodim, 2017. Anger over 2017 budget delay. The punch, May 06.

Opurum, K., 2018. Outlook for nigeria's agricultural sector. Leadership, Wednesday, January 10.

Posner, P. L. and C.-K. Park, 2008. Role of the legislature in the budget process. Journal on budgeting, 7(3): 1-26.

Riggs, F. W., 1997. Presidentialism versus parliamentarism: Implications for representativeness and legitimacy. International political science review, 18(3): 253-278.

Samuels, D. and K. Eaton, 2002. Presidentialism and, or, and versus parliamentarism: The state of the literature and an agenda for future research. In: Conference on Consequences of Political institutions in democracy, Duke University.

Shehu, A. T., 2012. The oversight powers of the legislature in nigeria; law, politics and development: The challenges of an emerging mega-city": Papers in honour of babatunde raji fashola san: Nigerian bar association. Lkeja branch, 64.

Shugart, M. S. and J. M. Carey, 1992. Presidents and assemblies: Constitutional design and electoral dynamics. Cambridge University Press.

UNICEF, 2016. How to engage in budget cycles and processes to leverage government budgets for children. Technical guidance note series(1).

Wildavsky, A., 1987. Choosing preferences by constructing institutions: A cultural theory of preference formation. American political science review, 81(1): 3-21.