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Abstract- Many federal systems incorporate presidential system with individual or dual executive. Such executive presidencies are imbued with substantial powers, dominating politics and government with far-reaching implications. The potential advantage of presidential system is 'often challenged by the occurrence of divided governments' capable of thwarting executive's potential successes.Recurringintra-institutionalleadership crisis borne out of high-wired politics, personal and political differences negating the spirit of the Constitution and threatening democratic consolidation suffice.Such crisis underlines the limitations of individual and dual executives amidst agitations for amendment to perceived flaws in constitutional provisions in emerging democracies. The Nigeria's 1999 Constitution provides for dual executive presidency comprising a President and a Vice-President jointly elected for a renewable four-year term of office.The predominance of viable governing institutions, as opposed to personal leadership was an aberration prior to the embrace of popular government.

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Ibraheem Oladipo Muheeb

Abstract- Many federal systems incorporate presidential system with individual or dual executive. Such executive presidencies are imbued with substantial powers, dominating politics and government with far-reaching implications. The potential advantage of presidential system is 'often challenged by the occurrence of divided governments' capable of thwarting executive's potential successes.Recurringintra-institutionalleadership crisis borne out of high-wired politics, personal and political differences negating the spirit of the Constitution and threatening democratic consolidation suffice.Such crisis underlines the limitations of individual and dual executives amidst agitations for amendment to perceived flaws in constitutional provisions in emerging democracies. The Nigeria's 1999 Constitution provides for dual executive presidency comprising a President and a Vice-President jointly elected for a renewable four-year term of office.The predominance of viable governing institutions, as opposed to personal leadership was an aberration prior to the embrace of popular government. The vices of authoritarian rule and crises-infested states informed a consideration for an executive presidency that could muster the requisite leadership and political will to offer a rallying point for diverse interests to act with dispatch and stabilize the polity. This paper interrogates a crisis-ridden executive presidency whose background and internal contradictions tainted its leadership content and political character that threatened its institutional viability. Dictatorial tendencies vis-à-vis personality politicsmanifestin the intra-institutional and power relation dynamics to undermine cohesion. Richard Joseph's conceptual notion of the Nigeria State and politics, prebendalism vis-à-vis the Nigerian experience in military rule constitute the theoretical and contextual framework for interrogating the institutional inadequacies under reference.

Keywords: nigeria, executive presidency, intra-institutional, crisis, and power.

I. Introduction

Presidential, parliamentary, dictatorship and autocracyare four-fold popular division of polities in the literature. The common distinguishing features include the degree of intra and inter-institutional control, actual exercise of power and value preferences (Alvarez, 1996).These categories are defined by how the executive operates. In many established democracies, executives fall into parliamentary, presidential or semi-presidential system of government (Hague and Harrop, 2004).Although the role and position of the Head of State is crucial to each of these categories, the most prominent of these is the presidential system of government, which has remained a major feature of most democratic federal system including Nigeria (Hans, 2000).Political executives are the locus of leadership that provides stabilizing and adaptive capacities to the political system (Almond et al., 1996). The conduct of the political executive affects the trust and confidence a government enjoys from the public. Political executives are source of ideas, imaginations, honours and distinctions to members of government and the entire citizenry home and abroad and whatever dynamism a political system has tends to be focused in the executive (Almond, et al., 1996).Executives have large and important appointive powers, not only of cabinet and government ministers, but also of judges. Political executive plays crucial role in political communication through press conferences and speeches (Almond, et al., 1996). The executive is accountable for all the activities of government and it is where the buck stops (Hague and Harrop, 2004).Effective executives are common to countries that have executive presidencies with substantial powers affecting the entire governmental process. These include the US, France, Russia and Nigeria among others (Almond, et al., 1996).

Following Almond et al. (1996), political executive have many names and titles, and their duties and powers also vary significantly. Some are referred to as prime ministers, chancellors, premiers, Kings, Queen, chairmen or chairs. Others could be called president who could be the supreme arbiter without reference to formal offices. According to Hans (2000), while most countries have a President as Head of State, in a number of cases the presidency is merely symbolic and its main function is to represent the sovereignty of the nation and government. In this sense presidents are comparable to most constitutional monarchs. Conversely, most federal systems incorporate the presidential system of government with a political executive that centralizes both political power and symbolic authority in one independent individual or group of individuals, usually the president and the vice-president. The president performs both governmental and ceremonial functions and symbolizes the nation at the international stage as well (Mahler, 2003). The political power and symbolic authority are almost always separated in parliamentary systems, where a distinction is made between the "Head of state", who is primarily a ceremonial official, and the "Head of government", who

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exercises actual political power including making and implementing policy decisions in public interest. All executives have many members comprising elective and appointive officials with policymaking power. As Hague and Harrop posits, 'the political executive is the core of government, consisting of political leaders who form the top echelon of administration often comprising presidents and ministers, prime ministers and cabinets.

The executive is the energizing force, setting priorities, making decisions and supervising their implementation. Governing without an assembly or judiciary is perfectly feasible but ruling without an executive is impossible (Hague and Harrop, 2004). Whether individual or collective, the distribution of power and authority in a political executive varies from one system to another (Almond, et al., 1996). While titles and configuration may be misleading as regards the actual number of members, powers and functions executives officials perform; political executives are effective only if they have genuine powers in the enactment and implementation of laws and regulations. Otherwise, they are symbolic or ceremonial (Almond, et al., 1996).On political executive in presidential government, again, Hague and Harrop observation suffices to the effect that, there are many presidents but few examples of presidential governments and the preponderance of self-styled presidents is an inadequate sign of a presidential system. A properly conceived presidential government entails the preeminence of a constitutional rule in which the chief executive governs on the authority derived from direct election, with an independent legislature (Hague and Harrop, 2004).In most federal systems like Nigeria, the president is conferred with executive powers and assigned executive responsibilities separate from the legislative and the judicial powers. This formal separation of powers defines the relationship between the presidency and the other arms of government. The executive dominates the politics of government and in emerging democracies like Nigeria; both formal and informal rules affect the style of leadership.

Common to most presidential governments is the institution of the vice presidency, which has few constitutional duties and the primary significance of which is not in what it is but in what it might become, as second in command to the president and prospective president in the event of an unforeseen circumstances. Presidential candidates select their own running mate for election and voters express support for a vice-presidential candidate in the same way as they choose between the candidates for the senior post (Hague and Harrop, 2004).On a joint ticket, the electorate votes for the president and the vice-president both of who should equally be accessible to the electorate on whose mandate the executive presides and whose legitimacy it governs and represents national government at home and abroad (Hans, 2000).As shall be discussed further in subsequent section of this paper, a vice-president serves as stand-by co-elected official with the president, and more or less a president-in-waiting, as the vice-president has a chance of becoming the president if and when circumstances permit (Hague and Harrop, 2004).It is however important to stress that the vice-president is often assigned ceremonial responsibilities while the president assumes power over important decision-making responsibilities (Mahler, 2003).

Executive presidency is considered to be beneficial in presidential government particularly in moment of crisis, as Hans Keman noted that the one-person executive could redirect government action in the desired course at a short notice in such circumstances. However, this potential advantage can and is often counteracted by the occurrence of 'divided governments' (Hans, 2000). While Keman's argument appears to be hinged on a situation where the majority of a legislative assembly or members of the president's political party are not supporting the president, cases abound of intra-institutional crisis of confidence and lack of cohesion within executive presidencies that thwarted collective executive successes. For example, The Guardian recalls that the Mbeki-Zuma face-off left the ANC deeply divided that the public was inundated with discordant tunes amidst accusations and counter-accusations from the South African presidency. Thabo Mbeki appointed Jacob Zuma Executive Deputy President of South Africa in 1999, after winning the presidency. In 1999, Mbeki's special unit, "the Scorpions" investigated Zuma and he was indicted in financial irregularities over a deal involving 29 million rand worth of strategic arms purchase. Initially cleared in 2001, Zuma faced corruption charges thereafter, but had those charges dropped in 2003.Zuma was again charged in 2005 with corruption for taking a bribe in connection with the 1999 deal after his financial advisor was convicted of corruption and fraud. President Mbeki subsequently fired him, though he was cleared of corruption charges again in late 2006.

Lindow (2008) reported that Mbeki's autocratic management style and ruthlessness in dealing with his opponents has angered many. While Zuma's supporters have long claimed that their leader is the victim of a political conspiracy orchestrated by Mbeki, Zuma had alleged that Mbeki and members of his cabinet improperly intervened in his trials to ensure that Zuma was prosecuted. Mbeki's supporters decried the party's harsh treatment of the departing leader. "This has been a brutal internal coup, almost," Mbeki biographer William Gumede told a South African radio station. The crisis has had everything to do with settling scores and taking revenge. Although Zuma was averse to Mbeki's disgraceful exit but to ensure a smooth political transition instead; rather than a dignified exit from office Mbeki contended with a string of humiliating defeats, and left office much diminished. Lindow (2008) reported

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further that the African National Congress (ANC) party leaders unanimously decided to remove Mbeki from office on allegations that he had used the country's law-enforcement system to undermine Zuma's chances of succeeding him. This was meant to "heal the rifts" internal caused by the bruising power struggle between Mbeki and Zuma. The ANC's action opened the way for Jacob Zuma, to be voted in as President. Mbeki stepped down in what amounted capitulation to avert political crisis ahead of 2009 general elections. He was to later contest the presidency of the ANC against Mbeki.

The Burundian Vice-President, Alice Nzomukunda, resigned from office with strong remarks about the president's importance in the face of gross human rights abuses. President Domitien Ndayizeye and Vice-President Alice Nzomukunda were elected in 2005 on a joint ticket under Hutu Forces for the Defence of Democracy (FDD) party. Alice Nzomukunda resigned over corruption and human rights abuses she claimed to be hampering her nation's progress. Nzomukunda claimed to have quit the government after enduring a year of humiliating interference in her work by party chairman Radjab Hussein, which she claimed to have complained to both the President and to the party's chairman himself, to no avail. Andrew Jackson became President of the United States in March of 1829 and not long after he had to deal with a split that developed between himself and Vice-President John Caldwell Calhoun. The split between Jackson and Calhoun deepened over series of issues and the irreconcilable personal and official differences including contestation over the status of the rights of the states and the rights of the federal government pushed the two men apart. The Andrew Jackson-John Caldwell Calhoun ticket was so bitterly divided that Calhoun quit the position of Vice-President to contest for the Senate in 1832.

By and large, presidential system offers the stability required for a new administration in post-authoritarian and post-conflict systems with pronounced diversity. The president's fixed term of office ensures continuity in the executive, as apposed to the frequent collapse of governing coalitions arising from crisis of confidence typical of parliamentary governments. Presidential hopefuls are often required to build bridges across diverse sections, groups, and interests to win presidential election. Presidents so elected with broad-based support could project national image and take a national view by rising above sentiments, petty squabbles between minority groups and interests (Hague and Harrop, 2004). Conversely, Hans Keman observation suffices, to the effect that in countries with the preponderance of weak institutions, and less developed civil and political rights or where rules of civic engagement are observed in breach, presidentialism portends grave danger as a system of power concentration (Hans, 2000), in a single or group of individuals subject to arbitrary deployment and abuse. Hence, the deployment of presidential authority to enhance political power or advance politics hampers presidential performance of the unifying role among other stabilizing responsibilities envisaged above (Almond et. el., 1996). In addition to constitutional powers granted occupants of presidential and vice-presidential offices are other social cultural factors that facilitate arbitrary deployment of presidential powers to the detriment of the system of rule.

Again, Hague and Harrop (2004) observation suffices, that president soften grow too big for their boots acting in manner, often inconsistent with constitutional provisions. In Africa, as the case in Latin America, presidents sometimes seek to amend the constitution to enable them continue in office beyond their term limits. In the ensuing scenario, a frustrated or ambitious president may turn into a dictator either through self-derived emergency powers or sought from collaborative legislative assemblies thereby laying the ground for systemic collapse (Cheibub, 2002). Unlike parliamentary systems, presidential systems lack strong cabinet that could offer a counterbalance to presidents' network of personal support staff, advisers and technocrats. This is more so the composition and functioning of cabinet are at discretion of the president in presidential systems and cabinet meetings are often at the pleasure of the presidents. Section 147, which authorizes the President to appoint ministers and Section 148,which empowers the president to exercise his discretion in assigning executive responsibilities to ministers so appointed or Vice-President as the case may be attest to this as subsequent sections shall attest. Personal aides and administrative staff sometimes shield presidents from cabinet members and the Nigerian Yar' Adua-Jonathan presidencies, 2007-2009 and 2010-2015 offer some cases of situations where and when cabinet members experience difficulty in gaining access to presidents through layers of assistants and advisers (Hague and Harrop, 2004). As the Nigerian experience shall reveal, the cumulative risks of betting systems on an individual or dual executives are altogether too grave, thereby inhibiting the development of the rule of law in new democracies, affirming Lijphart's (2000)submission on presidentialism 'as a strongly negative feature for the future of democracy' (Hague and Harrop, 2004).

II. Theoretical and Contextual Framework

Democratic rule thrives on the pre-eminence of viable institutions, an essential feature that was elusive during the period under reference. Thus, Richard Joseph's (1987) conceptual notion of the Nigeria State and politics christened prebendalism, and the Nigerian experience in military rule are crucial theoretical and

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contextual framework for interrogating the institutional inadequacies under reference. Joseph's (1987) conception of the Nigeria state and Politics suffices to the extent that any meaningful discussion on Nigeria depends upon a prior understanding of the nature, extent and persistence of a certain mode of political behavior and its social and economic ramifications. This entails an understanding of the extant state system, perceived as a magnet for all facets of political and economic life, consuming the attention of individuals with personal or group agenda to promote outdoing one another in desperate bids to gain access to the control of the levers of the nation's political economy. Joseph's conceptual notion, prebendalism, seems most appropriate for explaining the centrality of the intensity and persistent struggle to control and exploit the offices of the state. Prebendalism implies that the Nigerian state and politics are concerned with 'how interests are represented and benefits distributed'. Politicians and public officials exploited the system to further individual or group interests. This explains the keen and fierce contest for, and retention of power and access to the distribution of resources in a context of scarcity, insecurity and disregard for official norms and regulations. The state thus becomes an entity composed of strategic offices, which can be captured as the outcome of a competitive process, including fair electoral contest or extra-legal compromises (Siollun 2013, Joseph 1987).

Military rule that was the hallmark of Nigeria's socio-political and economic landscape from the late 60s to the late 90s complements Joseph prebendal notion of the Nigeria state and politics. The military institution and its civilian collaborators used their access to power and state resources to exploit the state in a predatory fashion. A fraction of the ethics of the military profession - command structure, loyalty, and obedience - penetrated politics, and the ethics of politics - contest for power and influence for access to, and disribution of state resources - penetrated the military institution. In the ensuing politics, the state was alienated from the generality of the people. Joseph's conception thus captures the nature and essence of the immediate post-authoritarian regimes in Nigeria beginning from 1999 during which representative politics and Joseph's prebendal politics were two sides of the same coin.

In Nigeria as in elsewhere of its kind, party system defines the institutional basis of representative government. Joseph (1987) noted that Nigeria's political party formation and party politics have also been rooted in the dynamics of the Nigerian society, culture, ethnicity, and religion, motivated by the exploitation of these dynamics to limited ends. The fundamental understanding of this political process holds useful insights into the behavior of political actors and yields reasonable expectations concerning their actions. Claude Ake identifies observes that the over politicization of social type increases the degree of intensity of political competition. Ake observes and rightly too that: 'the premium on political power is so high that political actors were prone to take the most extreme measures to win and to maintain political power. The Nigerian state appears to intervene everywhere and to own virtually everything including access to status and wealth. Inevitably, a desperate struggle to win control of state power ensues since this control means for all practical purposes being all-powerful and owning everything. Politics became warfare, a matter of life or death' (Joseph, 1987).Ake's submission captures the successive rivalries and desperation often characteristic of party politics in Nigeria. The ensuing battle for supremacy essentially brought about unhealthy intra-, and inter-party and inter-institutional competitions.

The struggle for power accounts for the attendant chaos, violence, and eventual collapse of governments. The struggle for power could also be held responsible for failure of the political class to incorporate self-correcting mechanism into the conduct of political activities at virtually every leadership transition. The bitterness and uncompromising disposition of major actors often gives way to politics of exclusion, mutual suspicion, tension, and institutional instability. Similarly, given that there is a nexus between ideology and political reality, the relative fragmentation, internal crisis of confidence could fester on the dearth of credible ideas, desirable ideals and guiding set of belief or ideology. It is for the dearth of good ideas that politicians are preoccupied with how to grab power largely to selfish ends rather than promote the general good and guarantee a 'civil minimum'. The pre-eminence of ideological colouration of party politics rather than primordial consideration is the hallmark of institutional viability.

a) The Nigeria's Executive Presidency (1999-2015)

Nigeria was among many countries that emerged from military rule to embrace representative government in the final decades of the twentieth century. The immediate post-authoritarian period required a presidency that could stabilize the polity, in the extra-ordinary moment of political and economic turbulence. There was also the need for a respected national figure that could be leveraged upon to effectively project the country positively on the global stage (Hague and Harrop, 2004).The military to civilian trasition ushered an elected president in the person of Olusegun Obasanjo and a vice-president, Atiku Abubakar into office for a renewable term of four years under the provisions of the 1999 presidential federal Constitution. The 1999 Constitution provides for an executive presidency. Section 130 clearly establishes the office of President and subsection 1 and 2 state that there shall be for the federation a president who shall be the Head of State,

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the Chief Executive of the Federation and Commander-in-Chief of the Armed Forces of the Federation. Section 141 provides for the federation a Vice-President. Section 142 subsection 1onthe nomination and election of Vice-President runs thus: "In any election to which the foregoing provisions of this Part of this Chapter relate, a candidate for an election to the office of President shall not be deemed to be validly nominated unless he nominates another candidate as his associate from the same political party for his running for the office of President, who is to occupy the office of Vice-President and that candidate shall be deemed to have been duly elected to the office of Vice-President if the candidate for an election to the office of President who nominated him as such associate is duly elected as President in accordance with the provisions aforesaid."

Subsection 2states that: "The provisions of this Part of this Chapter relating to qualification for election, tenure of office, disqualification, declaration of assets and liabilities and oaths of President shall apply in relation to the office of Vice-President as if references to President were references to Vice-President." Section 143, subsections 1-11 outlines the procedure for the removal of president from office, which is applicable to the Vice-President as well. Subsection 11 entails "gross misconduct", which it defines as a grave violation or breach of the provision of the constitution or a misconduct of such nature as amounts in the opinion of the National Assembly to gross misconduct. Section 145 outlines provisions for acting President during temporary absence of the President. It states provides that:"Whenever the President transmits to the President of the Senate and the Speaker of the House of Representatives a written declaration that he is proceeding on vacation or that he is otherwise unable to discharge the functions of his office, until he transmits to them a written declaration to the contrary such functions shall be discharged by the Vice-President as Acting President." Section 146, subsection 1 contains provisions on discharge of functions of president and it provides that the Vice-president shall hold the office of President if the office of President becomes vacant by reason of death or resignation, impeachment, permanent incapacitation or the removal of the President from office for any reason in accordance with section 143 or 144 of the constitution. Section 147, subsection 1 authorizes the President to appoint ministers to work with him or her as ministers of federal government. It provides that there shall be offices of Ministers of Government of the Federation as may be established by the President. Section 148, subsection 1 empowers the president to exercise his discretion in assigning executive responsibilities to ministers so appointed or vice-president as the case may be. It provides that the president may, in his discretion, assign to the Vice-President or any Minister of the Government of the Federation responsibility for any business of the government of the Federation, including the administration of any department of government. Section 151, subsection 1 provides that the President may appoint any person as Special Adviser to assist him in the performance of his functions.

Like the US Constitution it borrowed extensively from, Nigeria's1999 Constitution also grants the President extensive powers including the command of the nation's military forces; the power to conduct foreign affairs; the power to appoint the cabinet and other executive officers including heads of government establishments like Chairman or member of the Independent National Electoral Commission, National Judicial Council, the Federal Judicial Service Commission or the National Population Commission as well as judges; and the legislative veto power (Ritchie, 1997).Political executive in liberal democracies are accountable for their conduct. Constitutional and electoral controls are acknowledged as effective and the scope of the executive powers and authority is not limited by political realities but by the constitution (Hague and Harrop, 2004). For example, the 1999 Constitution requires that in exercising his powers to appoint a person as Chairman or member of any of the above-named agencies and Commissions, the President should consult the Council of State. There are a number of such constitutional restraints on executive powers (Hans, 2000) and established democracies have succeeded in the delicate task of subjecting executive power to similar constitutional limits. 'President Kennedy summarized the peculiar ambivalence of the office when he reiterated that the President is rightly described as a man of extraordinary powers that must be wielded under extraordinary limitations' (Hague and Harrop, 2004: 270).

History has shown, however, that transplanting political institutions does not always work very effectively (Muheeb, 2016a, 2016b, 2015, and Mahler, 2003). Inspite of the political and constitutional similarities between Nigeria and the United States of America (USA) for example, the observable systemic inadequacies that undermine institution building in Nigerian are in sharp contrast to the American system. For example, the Nigeria's1999 Constitution did not foresee the successive intra-institutional crisis of confidence recorded during the Obasanjo-Atiku Presidency,2003 - 2007 and the YarAdua-Jonathan Presidency,2007 - 2010 respectively. Following Ritchie (1997), the Nigerian presidency has evolved overtime to dominate many processes of allocating, and re-allocating government's revenue resources and spoils of office. Friction arises as Vice-Presidents often contest been confined to less important and ceremonial functions, a situation not helped by the public and vested interests. The widespread view among the public is that the Vice-President is no more than second-in-command, next only to the president, not the first, and the public wants

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to see the President and are less satisfied when such is desirable (Mahler, 2003).Bolstered by the prevalence of distributive politics, the establishment of the EFCC and the ICPC among other executive instruments, whose headships are appointed by the President and under whose supervision they operate, heralded the consolidation of discretionary powers of the President.

Nigeria, among other post-colonial African states projected weak governing institutions and the predominance of personal leadership until the era of democratization in the late 1990s (Hague and Harrop, 2004). Political leaders favour prebendal politics involving the appropriation of state institutions and the military background of the political actors and governmental structure tainted the understanding and essence of the extant political system and institutions. While the constitution vested the presidency with wide-ranging powers, the exercise of such presidential powers, much more than what the constitution envisages, have occasionally been counterproductive. As Ade-Adeleye's (2014) observes, successive occupant of the office of the President since the commencement of the Fourth Republic has wielded enormous powers, deploying such powers at will. In addition to constitutional provisions that nourish the president's appetite to deploy power arbitrarily are other psychosocial factors including those demanding subservience to authority.The personality, professional background, experience and influence of both Obasanjo and Atiku and intra-party wrangling were evident in the institutional and power relation dynamics that bedeviled the Obasanjo-Atiku presidency, 1999 - 2007.

b) The Obasanjo-Atiku Presidency's Intra-institutional Crisis of Confidence

Following *The Guardian's* extensive report, the feud between President Olusegun Obasanjo and his Vice-President, Atiku Abubakar could be traced to sometimes in December 2002. The protracted crisis of confidence allegedly had its root in a 'conspiracy' at the Eagles Square, Abuja on the night of the convention of the Peoples Democratic Party (PDP) where a certain plot was hatched to convince Obasanjo not to run for a second term of office to commence May 29 2003 but to instead hand-over power to Atiku. Two major camps had emerged in that conspiracy. The first comprised ofthose seeking to convince Obasanjo to jettison his re-election bid to pave the way for Atiku'semergence. The second preferred that Atiku dump the Obasanjo-Atiku ticket and contest for the Presidency instead. This conflict of interest at the presidential primaries culminated in mutual suspension, distrust and anxiety. While Obasanjo was unsure of the position of his Vice-President on the joint ticket, Atiku was faced with the options of either to contest the 2003 election against his boss or stick with him on a joint ticket. His supposed supporters including some State Governors favoured the former option. Their disposition was hinged on the premise that Atikuhad obliged Obasanjo of his formidable presidential platform, the Peoples Democratic Movement (PDM), which was his support base within the Peoples Democratic Party (PDP)during the 1999 general elections. Obasanjo was presented with what was termed the "Mandela option", which the former President spurned. The option would have involved Obasanjo running a single term and handing over to Abubakar.Although Atiku was persuaded and he later succumbedto stick with Obasanjo after intense entreaties; but it was much after Obasanjo's ego had been bruised, the damage was already done, as the President felt betrayed by his Vice-President. The relationship between the duos subsequently deteriorated. The PDP's eventually recorded a resounding victory at the polls albeit rather controversially paving the way for Obasanjo to consolidate his political structure. Obasanjo reportedly moved swiftly to build a separate political base within the PDP in an attempt 'castrate' and neutralize the influence of Atiku-PDM within the PDP.

Thus, a number of frontline sympathizers of Atiku reportedly had their image dimmed within the PDP. For example, the travails and eventual ouster of a former governor of Anambra State, was traced to the presidential-vice-presidential power play. A former national chairman of the PDP, was equally relived of his office for his contrary views on the Anambra saga. Obasanjo reportedly replaced the chairman with a longstanding ally, and a retired Army Colonel. The National Secretariat of the PDP was noticeably filled with persons largely considered as Obasanjo's loyalists. There was progressive whittling down of Atiku's influence within the Presidency. The President curtailed his Vice-President's foreign travels, reduced official duties assigned to his office, hired and fired Atiku's aides and declared that it was his prerogative as the presiding officer to appoint and dismiss officials of the Presidency. Political appointees nominated by the Vice-President also lost their positions to the power politics. These and subsequent developments attested to the view that Obasanjo was on a collision course with Atiku and that the former was not keen on relinquishing power to the latter in the near future. For example, Obasanjo forwarded a terse reply to Atiku's letter seeking the former's official blessings of the latter's presidential ambition in 2007.Obasanjo replied that his presidential ineligibility was already public knowledge and that the choice of his successor was a party affair but he nevertheless wish Atiku good luck in his quest.

The second strand of friction revolved around accusations and counteraccusations of disloyalty, which were launched in the media in the heat of a clandestine campaign for tenure extension. Atiku had reportedly confided in a newspaper that Obasanjo had earlier sworn in his presence to vacate office at the expiration

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of their second term in office in 2007 as constitutionally stipulated. This revelation was made in response to a widespread debate and growing suspicion of Obasanjo's secret moves to extend his tenure beyond 2007 through an alleged "third term" plot. In a Presidential media chart, a furious Obasanjo accused Atiku of disloyalty and loss of memory. The President countered that there was no way he could have sworn to anyone as alleged after he had taken an oath to protect the Constitution. Some Obasanjo's supporters like the former military administrator of Lagos State, retired Brigadier-General Buba Marwa, who was also nursing a presidential ambition, called for Atiku's resignation. The Atiku's camp replied in the like manner, demanding that Obasanjo take the lead in resignation for allegedly plotting to subvert the constitution. Atiku further argued that he swore allegiance to the constitution and not to any individual.

The purported tenure elongation or third-term agenda and the controversies it generated viciously pitted Atiku against Obasanjo and the PDP, which surreptitiously caved-in to Obasanjo's quest. Atitku reportedly claimed that 90% of Nigerians were against Obasanjo's third-term agenda. He declared his resolve to take a principled stand against the bid, sustain the anti-third-term campaign and face the consequences having survived the worst of treatment from the presidency in the three years preceding 2007. In his words, "From now on, I don't care what happens, but we must step up the campaign to stop this evil agenda" Atiku told a patronizing group of anti-third term politicians and legislators while urging the National Assembly to step-in and halt the tenure elongation campaign, a call the National Assembly eventually heeded. While further accusing Obasanjo of running a one-man show and pursuing reforms without "a human face", Atiku advance his stance by publicly declaring his determination to contest in the 2007 presidential election. Obasanjo's media aide, Femi Fani-Kayode, reacted to Atiku's lamentations while deploring the statement credited to the Vice-President. Fani-Kayodecountered that: 'if it is true that he has been suffering for the last few years and that nothing good has happened and he's been persecuted… the logical and rational thing for him to do, if he sincerely feels like that, was for him to resign'. The PDP also turned the heat on Atiku.

The party reportedly decried the utterances credited to the Vice-President. Atiku was practically denied registration by the Adamawa State chapter of the PDP during the membership validation exercise. Atiku floated the Advanced Congress of Democrats (ACD), an alternative platform where most of his supporters in the PDP found refuge, and on which plank it was suspected he would contest for President if he loses the PDP nomination. The grandstanding lingered from one outing and event to another. The strain relationship manifested at the International Conference Centre, venue of the Commonwealth Parliamentarians' Conference in Abuja, where both Obasanjo and Atiku who were on the high table, visibly did not exchange the usual greetings and banters they were both known for. While Obasanjo ignored the Vice President and instead engaged in conversation with the Speaker, Aminu Bello Masari, the Vice President also maintained a straight face. The bad blood expectedly culminated in a major political crisis, as Obasanjo reportedly sought the impeachment of Atiku by the National Assembly.

While the face-off was ongoing, the United States Federal Bureau of Investigation (FBI) reportedly raided the Potomac, Maryland USA residence of Atiku. The FBI's action was linked to raids on the same day, on homes belonging to a Louisianan congressman, William Jefferson who was being investigated over the financing of a high-tech company. Jefferson, a Democrat who had served eight terms in the House of Representatives, came under scrutiny as the FBI investigated an international telecommunications deal. Investigators were purportedly interested in Jefferson's links with Atiku Abubakar and Ghanaian Vice-President, Aliu Mahama. Atiku expressed his readiness for probe while denying involvement in any shady deal. Atiku reiterated his resolve to fight on at the expense of his presidential ambition and in spite of pressure from political quarters. This and similar development bolstered Atiku's press statement that he was ready to face the FBI and the EFCC to clear his name of any charges.

Perhaps, relying on Jefferson's case and report of investigations on Atiku by the EFCC, Obasanjo had asked Atiku to excuse himself from the Federal Executive Council (FEC) Chambers after the EFCC had submitted a report on Atiku to the FEC. Atiku, before his exit from the FEC, through a memo to the President protested that he was not obliged a copy of the EFCC report to be deliberated upon by the FEC. Atiku alleged that Obasanjo had forwarded a letter to the Senate calling for his impeachment as Vice-President. He also alleged that the President had earlier written a letter calling for his resignation, failure, which would prompt the National Assembly to commence impeachment process. Obasanjo's memo to Senate President, Ken Nnamani harped on the purported report by the EFCC on sundry wrong doings by the Vice-President. The EFCC, ostensibly acting on a request by the FBI to question a number of individuals connected with the investigation of Jefferson over a Halliburton bribery scandal, had sought Atiku's clarifications on his relationship with Jefferson. Atiku in his response maintained that the Congressman had written through the Nigerian Embassy in Washington DC seeking a meeting with the Vice-President concerning a communication business in Nigeria. Atiku in-turn forwarded the letter to the Ministry of Communication for necessary action. Although he granted the

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Congressman an audience at his residence in Maryland in 2005, he categorically denied any untoward business with Jefferson.

In furtherance of his anticorruption campaigns, the EFCC queried the fund placements in Equatorial Trust Bank (ETB) and Trans-International Banks (TIB) by the Petroleum Technology Development Fund (PTDF), a federal government agency under the supervision of the Vice-President's Office. Although the PTDF had deposited funds in 14 banks including the above-named ones, the EFCCsought clarifications on the rational behind the $110 million deposit in ETB owned by Mike Adenuga and another $20 million deposit in TIB, substantially owned by Oyo and Osun States. In response, Atiku recalled that the Executive Secretary of the PTDF had recommended the placement of the deposits in the local banks, as they would attract far higher interests than they could in overseas banks. In fact, while foreign banks were dangling 3% to 4%, their Nigeria counterparts offered more than 10%returns on the deposits. On the basis of this informed business judgment, the Vice-President forwarded the PTDF's recommendations to the President who expressly approved of the transaction. The PTDF subsequently earned handsomely from the transaction raking-in over N1 billion in accruable interests from its deposit at ETB alone.

The EFCC and the administrative panel set up by the President under the leadership of the Attorney-General and Minister of Justice again raised issues over what they called "coincidences". These were that: Mike Adenuga was able to pay the 10% deposit for the Globacom telecommunication license his company bided for and won shortly after ETB received the PTDF deposit, and that Oyewole Fashawe was only able to secure over N700 million loan from TIB shortly after the PTDF deposit. Atiku response to the EFCC and the Administrative Panel was to the effect that his main consideration was the safety of the deposits, and he had no way of knowing or determining how the banks used deposited funds. The duo also raised issue of Fashawe's donation of a building to ABTI Academy, Yola owned by Atiku (Fashawe had also donated a building to Africa Leadership Forum, an NGO owned by Obasanjo and Mike Adenuga constructed a library worth over N1 billion at the Obasanjo-owned, The Bells University); and that Fashawe gave N3 million cheque to one of the Vice-President's aides (Fashawe similarly gave cheques to one of the President's aides). The tit-for-tat dovetailed into legal tussle as both parties sought judicial intervention on their respective claims in desperate bids to undo each other.

III. Critical Appreciation and Analysis

Thus far, as a multi-ethnic society, the presidency is expected to serve as the rallying point for diverse interest and to effectively stabilize the polity. The constitutional requirement of wining at least 25% in two-thirds of the thirty-six states of the federation was to guarantee the emergence of a pan-Nigeria president with a broad support across the country to enable the president take a national position on issues of importance to the overall interest of the country. The president's renewable term of four years was to guarantee stability and continuity. However, the preponderance of weak institutions, less than satisfactory adherence to the rule of law and the preeminence of strong personalities consistently aided the primitive disposition of government business by elected executive officials. In 2006/2007, president Obasanjo clandestinely sought amendment of the 1999 Constitution to enable him continues in office beyond the constitutionally stipulated four-year term limit. The National Assembly rose to the occasion and rejected the Third Term Bill. There were insinuations that, a frustrated Obasanjo consequently foisted his successor, Umar Yar'Adua willy-nilly on Nigerians inspite of the latter's limitations, thereby laid the groundwork for systemic collapse (Hague and Harrop, 2004).

Given the extensive constitutional provisions, power dynamics, the extant state system and the political context, the Nigerian presidency is a 'strong governing position amidst trappings of omnipotence' reflected in the extensive discretionary powers, enormous resources at the disposal of the President vis-à-vis the network of support staff to meet presidential needs (Hague and Harrop, 2004). This supposed support structure has often proved to be a weakness. For example, many advisers and assistants who worked with Obasanjo-Atiku and Yar'Adua-Jonathan were political outsiders, appointed by Presidents who sometimes ended up caging their benefactors, undermining their positions and advanced selfish personal causes rather than assisting in the onerous tasks of stabilizing the polity and consolidating representative government. Understandably, the third-term agenda robbed the Obasanjo-Atiku presidency of considerable goodwill; and the succession crisis that followed the demise of Yar'Adua in 2009/2010 tainted the reputation, cast doubt on the sincerity of, and exposed the crack in Yar'Adua-Jonathan presidency. It did expose the lacuna in the 1999 Constitution and upset the stability of the polity (Hague and Harrop, 2004).

By his reported pronouncements and actions, Obasanjo usurped the powers of the Court of Appeal by virtue of Section 239(1a-c) which provides that, the Court of Appeal shall, to the exclusion of any other court of Law in Nigeria, have original jurisdiction to hear and determine any question as to whether (a) any person has been validly elected to the office of President or Vice-President under this Constitution; or (b) the term of office of the President or Vice-President has ceased; or

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(c) the office of President or Vice-President has become vacant, and National Assembly by virtue of Section 143(1-11) to declared vacant the office of Vice-President, Atiku following AC's 2006 public adoption of Atiku as its presidential candidate for the subsequent election. This observation is without prejudice to section 142(1), which presumes that the President and Vice-President are together in a union, in which the Vice-President stands or falls with the President both at the polls and while in office. The Constitution provides that the President and the Vice-President shall be removed from office if found guilty of "gross misconduct" in the performance of the functions of their offices. Section 143 (11) merely defines "gross misconduct," as a grave violation or breach of provisions of the constitution or a misconduct of such nature as amounts in the opinion of the National Assembly to gross misconduct. The presidency acted in questionable circumstances with intra-institutional impeachment campaigns against Atiku on the one hand, and the wilful attempt to appropriate other arms of government to political ends on the other hand. Given that the electorate directly elect the leadership of the executive, the power to remove such elected officials must not be trivialised or exercised on the basis of subjectivity or against the popular interest.

President Obasanjo attempted usurping of the powers of the Court of Appeal by his illegal action of declaring vacant, without prior recourse to the court, attests to the pervasive tendency to deploy presidential authority to manipulate governmental institutions to enhance political power or advance politics in manners that could hamper the presidential performance of the unifying role among other stabilizing responsibilities (Almond et. al., 1996). Again, as *The Guardian* noted, it may be conceded that a Vice-President in an opposing political party or in a different faction of the same political party is incompatible with the constitutional union between the President and the Vice-President, much the same with the unity of the Executives. Hence, Atiku's defection from the PDP to the AC largely for selfish political consideration was a violation of Section 142 (1) amounting to misconduct. The misconduct may well imply impropriety, regarded as a "gross" one, which is defined in Section 143(1) above. A violation of the constitution, however grave, does not, on its own come into force to warrant the vacation of office of the person who committed the violation. Grave as the violation of Section 142(1) by Vice-President Atiku might be, the sanction provided for it by the Constitution was not for President Obasanjo's arbitration to summarily declare his office vacant.

Atiku's recourse to vituperation through public statements and press releases constituted avoidable distractions to the more serious business of governance for which the Nigerian electorate put them into office. The duo could be said to have recorded collective successes during their first term in office between 1999 and 2003. Therefore,Atiku's purported intransigence and complicity in an earlier plot to deny Obasanjo the benefit of a second term in office through the 2003 election of which Obasanjo was supposedly sure of victory was, supposedly, against the spirit of the subsisting unity of purpose. The cold war, thus, manifested the prevalent preeminence of politics over governance and underscores the understanding that trust and confidence are essentials in intra-institution relations, as their deficit is to the peril of institutional harmony and cohesion.

The accusations and counteraccusations of corrupt practices gave vent to the insinuations of Obasanjo's use of the EFCC to silence dissenting views. This attests to the fact that the presidential system lacks a strong in-cabinet force that could offer a counterbalance to president's personal positions on crucial issues more so that the President exercises his discretion and cabinet members are at the president's mercies. While President Obasanjo larger-than-life image rubbed-off on his administration's reform initiatives, Atiku's public denouncement of the purported tenure elongation bid complemented the attendant legislative action on the proposal, as he was vindicated by the Assembly's rejection of the Bill. It was to the credit of the Vice-President that he waived his immunity and cooperated with both the EFCC and the Administrative panel inspite of the clear breaches of protocol and procedure going be provisions under Section 308 of the Constitution. Atiku's success at the judiciary in his strive to serve out his tenure of office rather succumb to pressure to resign from office bolstered the supremacy of the constitution and integrity of the system of rule in the face of arbitrariness and intolerance of opposition that are antithetical to democracy. The politically motivated malice and bitter contest constituted a clog in the wheel of progress in institution building and democratisation.

IV. Concluding Remarks

The desire for unity in diversity, the identifiable inadequacies of parliamentary system and the institutional requirements of modern state favoured a consideration for a presidential government with an executive presidency that could muster the requisite political will, offer a rallying point for diverse interests and stabilize the polity. However, intra-institutional relations within the Nigerian presidency have had both conflictual elements.This paper highlights another testimony to the fact that the authoritarian background of the system of rule cannot be wished away in analysing and appreciating the development trajectory of Nigeria's executive presidency in the Fourth Republic. It examines how intra-institutional crisis of confidence undermines institutional efficiency and stultifies government. The recurring bickering and impunity

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amidst arbitrary deployment of executive powers evident in the successive presidencies negates the spirit of the constitution (Muheeb, 2016a, 2016b and 2016d). The administration of former President Olusegun Obasanjo and Vice-President Atiku Abubakar exhibited such conflictual disposition that stalled harmony, institutional efficiency and democratic stability. In the ensuing crisis, the legislative and the judicial arms of government marginally neutralized the intervening dictatorial tendencies. The paper reiterates the view that the winner-takes-all politics underlines political actors' penchant for military ethics of command, unquestionable obedience and absolute loyalty as opposed to civilian ethos of cordiality, mutuality, tolerance, bargaining and compromise required to enhance institutional cohesion. Elections and election related issues imbued with the spirit of conquest became do-or-die affairs in the ensuing scenarios, engendering the survival of the fittest. The attendant politics of personality has had damnable consequences for institution building, institutional harmony and quality governance.

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