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ABSTRACT

In recent years some prominent Nigerians within and outside the House of Representatives have intensely campaigned for the re-adoption of Parliamentary model of government as the only panacea for the myriads of socio-economic and political problems of Nigeria. According to them some features of parliamentary system such as reduction in the cost of governance, regular accountability of ministers to the parliament, reduction in the powers of the President, easy resolution of conflict between the executive and the legislature and faster passage of legislation make the system to be better suited for Nigeria than Presidential system currently in operation. The objective of this paper is not only to appraise its suppose attractive features afore mentioned base on its operation during the First Republic but also to assess the likelihood of its successful future re- adoption in Nigeria. Using documentary information and adopting textual presentation to analyse both the operation of parliamentary system in the First Republic as against the present political practices under Presidential system of government, the paper arrives at the findings that as oppose to the views of proponents of Westminster model, the model is neither cheap to operate, peaceful and stable, facilitates easy resolution of conflict, facilitates faster passage of legislation nor does it has appreciable chance of re-adoption in the future. The paper concludes that the argument by its supporters that the parliamentary model is better in many aspect of governance than Presidential model is not supported by facts. The paper therefore recommends that to overcome perceived weakness of Presidential system in Nigeria certain sections of the 1999 constitution should be amended to strengthen it while its practitioners should be made to pass through compulsory orientation course before assuming political office.

Key Words: Parliamentary Model, Presidential Model, Cabinet, Collective Responsibility, Motion of no Confidence, Westminster, Party Discipline.

Introduction

At independence in 1960 Nigeria adopted cabinet or parliamentary system of government as the political legacy bestowed on Nigeria by the departing British colonial masters. Owing to regional rivalry for supremacy in the control of the government, shifting political party



coalition, internal political party rebellion and cross carpeting, corruption and bad governance, electoral malpractices, large scale political violence among others, the military intervened in governance in 1966 to end parliamentary system of government in Nigeria. The parliamentary form of government was therefore first operated in Nigeria for 5 years. In the next 13 years, military dictatorship held sway in Nigeria. When it eventually decided to transit back to civilian rule, the military consciously or deliberately preferred to adopt Presidential system of governance owing to pitfalls noticed in the operation of parliamentary system by the Nigerian political class in the immediate post- independence period of Nigeria. To date Presidential system of government has been in operation in Nigeria for 28 years beyond 16 years of interruption by the Buhari, Babangida, Abacha and Abdulsalami Abubakar's military administrations.

In recent years however, especially during the tenure of Obasanjo and Buhari civilian administrations there emerged upsurge in the call for re-adoption of parliamentary form of government in Nigeria. The clamour for this Westminster form of government came to a head in 2024 when more than 60 members of the House of Representative from all political parties in the House introduced three (3) bills seeking to amend the 1999 constitution with a view to re-adopting parliamentary form of government at all levels federal, state and local government (Akoja 2024 www.thisdaylive.com). Proponents of parliamentary model also abound outside the National Assembly . According to Dirisu Yakubu, eminent Nigerians such as Late Balarabe Musa, Prof Wole Soyinka, Emeka Anyaoku, Mike Ozekhome, Victor Attah among others in the past decades have called for discontinuation of Presidential system and a return to the parliamentary model (Yakubu, 2024 www.punchng.com). To the proponents of this system of government, its attraction range from reduced cost of running the system, regular accountability of ministers to the parliament, to the reduction in the powers of the President with executive powers shared between the President and Prime Minister (plural executive).

The objective of this work is not only to appraise the issues and features of parliamentary form of governance generally, to analyse the problem witnessed in the operation of that form of government in the immediate post independent Nigeria but also to assess the prospect of successful re-adoption of that form of government in the future governance of Nigeria.

Features of Parliamentary System of Government

Parliamentary or Cabinet form of government is indigenous to European countries particularly Britain where it is also known as Westminster model. As the name implies, in this form of government the parliament (the lower House of the legislature or to be specific the House of Representatives) is the most powerful of the three organs of government. This is so because within the parliament is the cabinet headed by the Prime Minister who is responsible for running the government of the state. This cabinet is also composed of ministers who are in charge of ministries. The cabinet also takes charge of the workings and activities of the parliament. In parliamentary model afore mentioned, the cabinet, composed of the Prime Ministers and his ministers constitute the executive arm of government within the parliament. In other words, the legislative and executive arms of government are fused into one under parliamentary form of government. The Speaker of the House only presides and has no real power to dictate the deliberation of the House.



The Prime Minister who is the leader of his own political party is elected into the parliament by voters of his own tiny single member constituency but is the chief executive of the entire country without having the entire country as his own constituency (Report of the Constitutional Conference 1995:63). The President under this form of government share executive powers with the Prime Minister. The President's powers are merely titular or ceremonial powers of signing of bills into law which he cannot reject once passed by parliament. The President is also the head of state and commander in chief of Nigerian armed forces. The President cannot however exercise these powers except in consultation with the Prime Minister. For example if the Prime Minister does not advise the President to deploy the armed forces in conflict areas within or outside Nigeria, the President cannot do it on his own even though he is the C-in-C of the armed forces. If he does it the Prime Minister can stifle such operation of funds thus leading to its failure. The President is not elected directly by the electorate of the country as in the Presidential system of government but by the parliamentarians. The parliament can also vote to remove him from office. However the President is bestowed with some undeniable powers: he is the one to announce the deployment of armed forces in conflict areas and not the Prime Minister; he is the person to invite the party leader with majority or coalition majority in the parliament to form a government; he has right to be briefed by the Prime Minister on all policy issues, he has the right to sign all bills into law (Ubani, Ehiodo and Nwaorgu, 2007).

Another important feature of this form of government as it concerns the legislature is that the Prime Minister is the leader of the political party with majority members in the lower chamber of the parliament. If the frontline political party is unable to achieve majority members in the parliament, it has to go into coalition arrangement with other political parties in the parliament in order to have majority members to form a government. Such coalition government can however last if there is cooperation among the coalition partners. However if there is friction and disagreement between them, then the government can fall. The implication of this is that although parliamentary form of government may have a constitutionally prescribed tenure of four or five years, it can be brought down anytime by a parliamentary vote of no confidence before the end of its tenure. This can also occur within the party in power if there is intra-party rebellion and indiscipline by party members (Report of the Political Bureau 1987:77). In event of coalition friction or party rebellion which the Prime Minister feels besieged by hostile fellow parliamentarians, he can threaten to dissolve the parliament and call snap election. This may force some hostile members to beat a hasty retreat and cooperate with the Prime Minister. Conversely, some large number of parliamentarians can still be recalcitrant thus forcing the Prime Minister to dissolve the parliament. Another notable feature of the legislature in this form of government is that while the pre-eminent or first chamber is the House of Representatives made up of the Prime Minister and his Cabinet members and is a more powerful chamber, the Senate (or the second chamber (Upper House) on the other hand is a mere concurring chamber without power to block or reject passed bills from the House of Representatives. Senate members are indirectly elected by the House of Representatives or the various state Houses of Assembly. That perhaps explain the deafening silence over the issue on the part of Senators both in the 9th Senate and 10th Senate. It also explains the real motivation on the part of some House of Representatives members over the proposal. They want to take over from the Senate as a more powerful chamber.



Also, the principle of Cabinet Collective Responsibility is practiced under this form of government which requires that members of the cabinet must publicly support all government decisions taken by the cabinet even though they do not privately agree with them. They must do this by voting for government positions in the parliament. In event that any member wishes to openly oppose cabinet decision, he has to resign his position as a cabinet minister (en.m.wikipedia.org). Under this principle, if a vote of no confidence is passed in the parliament, the government is responsible collectively and entirely to resign from office. This will result in the formation of a new government or in the alternative the parliament is dissolved and a new general election is conducted. Another feature of parliamentary system which is actually a flaw is that the Prime Minister does not have the whole country as his constituency. He cannot therefore test the extent of his acceptability in all sections of the country. He is elected by voters of his tiny constituency in his region or state. This form of government cannot in effect produce a national leader unlike in the Presidential system of government. (Report of the Constitutional Conference, vol. 2,1995:63). These features were similarly replicated at the sub-national level which in the First Republic were 4 regions. Thus while the Governor's exercised ceremonial powers, the Premiers were the regional Head of Government.

Major Provisions Of Nigeria's Parliamentary System Constitution of 1963

The 1963 constitution was a twelve-chapter and a three schedule document. It provided for a federal republic consisting of four regions: North, West, East and Mid-West as well as a federal capital city of Lagos. All four regions had their separate constitutions. The federal constitution was supreme over all other laws within Nigeria.

The constitution provided for the office of the President of the Federation who was the Head of State and Commander-in-Chief of the Armed Forces. He was to be elected by both the House of Representatives and the Senate (National Assembly) in a joint session for that purpose. A candidate for the office of President was to be up to forty (40) years of age and had a tenure of five years. The constitution vested executive powers such as deployment of armed forces in conflict areas, appointment of ambassador abroad, appointment of judges of Nigerian courts which were all exercised on the advice of the Prime Minister. The parliament (National Assembly) was vested with the power to vote to remove the President from office.

Under the constitution the legislature was the National Assembly made up of House of Representatives (312 members) and the senate (44 members). Members of the House of Representatives were directly elected by voters of their single member constituencies nationwide from different political parties. The head of any of these parties having majority of members in the House of Representatives was appointed by the President as the Prime Minister and ask to form a government. Formation of government involved appointment of cabinet ministers from members of his political party or coalition parties who are members of the House of Representatives. The Prime Minister and his ministers formed the executive arm of government (cabinet) within the House of Representatives. The Prime Minister and Ministers operated under the principle of Collective Responsibility which they had to stand together, speak with one voice, support each other or fall together through a motion of vote of no confidence introduced by opposition members of the House. The Upper House or Senate members were twelve (12) from each



region, four (4) from the federal capital city of Lagos and four (4) senators selected by the President on the advice of the Prime Minister. Those senators from the regions were nominated or elected by their regional Assemblies. The role of the Senate was to take a second look at bills originated and passed by House of Representatives and make its opinion known. It could not reject bills passed by the representatives nor delay them unnecessarily. The Senate was presided over by President of the Senate. Bicameral legislature was similarly replicated at the regional level where they were known as House of Assembly and House of Chiefs (Abia, 2008:120)

The constitution vested the power to alter the constitution on the parliament. It contained provisions for Fundamental Human Rights. National police force was established for the entire federation headed by Inspector General of Police; it further allowed for the formation of local police. It abolished the Privy Council as the highest court of appeal and vested it on the Supreme Court of Nigeria. The constitution established a consolidated revenue fund where all revenue accruing to the federation were paid into and shared among the tiers of government. The constitution abolished the Judicial Service Commission and established Public Service commission for appointment, promotion, dismissal and disciplining of civil servants. Similarly appointment, transfer and promotion of judges were made by the Prime Minister. Their removal was to be made by approval of two-third majority in both the Senate and House of Representatives (Abia, 2008:124)

Main Attractive features of Parliamentary System to Advocates of its Re-adoption.

Some eminent Nigerians inside and outside the House of Representatives canvassing for the re-adoption of this form of government put forward the following as the system's main attraction to them. First, the President is too powerful under Presidential system but is reduced under parliamentary system. Second, conflict between the executive and the legislature (parliament) are easily resolved since political party members of the executive (cabinet) are also members of the parliament.

Third, passage of legislation is faster under parliamentary form of government than in the Presidential system.

Fourth, parliamentary system is cheaper in terms of cost of governance than in the Presidential system. Is their stance valid? Let us consider these points of attraction one by one.

The Power of the President

According to them, the Presidential form of government gives too much powers to the President which, according to them, parliamentary model would rectify. It is a valid view that President's power is reduced to titular or ceremonial powers under parliamentary form of government. However, it would be like robbing Peter to pay Paul. Parliamentary system takes power away from the President and vests it on the Prime Minister.

According to Prof. Itse Sagay, under parliamentary form of government, the Prime Minister is far more powerful than the President under Presidentialism. According to the erudite professor, the Prime Minister exercise the power of national President, Speaker of the House and Senate President rolled into one. He explained further that, the Prime Minister does not need the confirmation of the parliament to appoint ministers. It is his



sole prerogative to dissolve the parliament any time he feels especially if besieged by fellow hostile parliamentarians (Akinrefon, 2018). A closer review shows that the Prime Minister exercises more powers than what have been mentioned by Prof. Sagay. He is the one who nominates a candidate as the President and cause him to be approved by the parliament. Presidential powers such as deployment of armed forces in conflict areas cannot be exercised except in consultation with the Prime Minister. The President cannot endorse or veto bills passed by the parliament. The Prime Minister can raise a motion in the parliament for a vote of no confidence to remove the President in office. It is clear from the above points that the Prime Minister under parliamentary form of government is far more powerful than the President under Presidential system of government. Therefore the argument about the excessive power of the President under Presidential form of government is not valid.

Easy Resolution Of Conflict Between The Executive And The Legislature

This view is predicated on the premise that as executive members (the Prime Minister and his ministers) are also members of the parliament, they can easily sort out their difference without conflict. This may be possible in other countries adopting that form of government such as Britain, Canada, India, New Zealand, Australia, Israel among others, the Nigerian experience during the First Republic is however different as analyse below. Due to deadly violence, the census row 1962/63 and western federal election crises of 1964/65 that led to the dissolution of the ruling coalition party foisted at independence and their realignment in the parliament, opposition coalition parties made up of NCNC headed by Chief Micheal Okpara, the AG of Chief Awolowo headed by Alhaji D.S. Adegbenro, the NEPU of Malam Aminu Kano and UMBC of Joseph Tarka collectively known as United Progressive Grand Alliance (UPGA), called on the Prime Minister Sir Abubakar Tafawa Balewa's coalition government made up of NPC of the Prime Minister Chief Samuel Akintola's Nigeria National Development Party (NNDP) collectively known as Nigeria National Alliance (NNA) to declare a state of emergency in the Western Region but the Prime Minister refused. (Nnadozie, 2007:59). As the situation was not quickly arrested through the imposition of a state of emergency, violence and killings continued in western region thus forcing the military to intervene through a coup d'etat in January 1966. The parliamentary form of government does not therefore guarantee easy resolution of conflict and passage of legislation. The idea is therefore a fallacy.

Faster Passage Of Legislation

Advocates of re-adoption of parliamentary system are of the view that it facilitates faster passage of legislation which is lacking under Presidential form of government. Indeed faster passage of legislation can also be achieved under the Presidential form of government, if background consultation is done between both the executive and legislative arms of government. In the 10th National Assembly headed by Senator Godswill Akpabio (Senate President) and Alhaji Tajudeen Abbas (House of Representatives Speaker), for example many legislations have been passed speedily to the extent that opposition parties dubbed the National Assembly "rubber stamp" assembly. This was achieved because background consultation were carried out between President Tinubu's administration and key officers of the National Assembly. Conversely contentious and controversial legislation can suffer long delay in parliamentary form of government if opposition members of the parliament refuse to cooperate in the passage



of a legislation as witnessed in Brexit Legislation in Britain which took 3 years to pass from 2017 to 2020(<https://en.wikipedia.org>)

Reduction in cost of Governance

The fusion of the executive arm of government (the cabinet) into the legislative arm (the parliament) no doubt ensure reduction in the cost of governance as canvass by supports of the system. However, the high cost of the system in other areas of governance pales the gain made in such fusion into insignificance. Indeed it costs more in parliamentary form than in the Presidential system as analyzed below:

First, heightened ethnic/regional mistrust and bickering cost more in governance. Such ethnic/regional mistrust and bickering was witnessed in Nigeria in the build up to the 1964 general elections. It pitched some parts of the north against the west and the eastern regions. This mistrust finally led to the collapse of democracy in the First Republic in 1966 (Bodje and Dode, 2007:132).

Second, more frequent elections resulting from possible vote of no confidence or collapse of coalition government cost more under parliamentary system. Although the first experiment of parliamentary model was in the pre-independence and post-independence, Nigeria did not witness any successful vote of no confidence. However, it had two coalition governments in 1959 and 1964. If the government was dissolved it could have resulted in new elections. As the conduct of elections in Nigeria is very costly (the conduct of the 2023 general elections cost N35.5 billion (Umoru, 2023) then the frequency of such election under parliamentary form of government owing to motion of vote of no confidence or collapse of coalition government could cost more than Presidential system which has a fixed and irrevocable tenure of four years.

Third, owing to the unstable nature/tenure of parliamentary system of government and its proclivity to violence, it cost more to maintain peace and security under cabinet form of government than in Presidential system. For example, political violence known as Tiv riot occurred in 1960 and 1964, ethnic and regional violence in 1964/1965 (Nnoli, 1978:238). According to Nnoli (1978:239) the 1964/65 riot was severe that "some 50,000 people were involved in it (burning Houses) and over 30,000 Houses were burnt,.... some 20 House burners (arsonists) were killed....., the burning was great that police force was rendered impotent to maintain law and order despite the participation of over 500 policemen....., The Army was able to bring the situation under some control. In the case of western regional crisis caused by massive rigging of election of October 11, 1965 by the NNDP of Samuel Akintola and declaration of self as premier by two candidates (Akintola - NNDP and D.S. Adegbenro - UPGA), violent demonstrations, rioting, shooting and arson led to the loss of thousands of lives and the burning of Houses and businesses in what was called "Operation Wetie" (Dobie, 2018:137). The violence overstretched the personnel and resources of the police and other security agencies thus proving it is more costly to operate instability-prone parliamentary model of government in Nigeria.

Lastly, violence resulting in the operation of parliamentary system of government in Nigeria can cost more in human lives and property. This was the case in Kano riot of 1953 and the western regional election violence of 1964/65.

Prospect for Re-adoption of Parliamentary System of Government in Nigeria



There are many factors which, in our opinion, dim the prospect of re-adoption of parliamentary form of government in Nigeria. They are: Presidential system is more familiar to present generation of Nigerians than parliamentary system; unfavourable posture of the Senate chamber; ideologically deficient political parties; its variance with African culture of strong unitary rulership and its conflict and instability-prone nature. Let us take them one by one.

Firstly, the present generation of Nigerians are more familiar with Presidential form of government that has been in operation for 25 years now than parliamentary system which operated for 5 years only and collapsed. There exist multiplicity of appointment opportunities for young Nigerians as personal assistants (PAs) and legislative aids (LAs) to political office holders under Presidential system than parliamentary system which in effect boost support for continuation of Presidential system.

Secondly, for re-adoption of parliamentary system to succeed in Nigeria, the two chambers of the National Assembly (House of Representatives and the Senate) must be on the same page. To date all advocates of the new system in the National Assembly both in the 9th and 10th National Assembly were members at the House of Representatives with Senators maintaining a deafening silence over the matter. This is due to the fact that, that system of government would rob Senators of their pre-eminent authority over the House members and reduce Senators to mere concurring legislators. The campaign may likely not receive the support of senators.

Thirdly, it is un-African to have two rulers exercising power over the same territory and issuing counter orders. This is what characterizes parliamentary system of government. The President and Prime Minister share executive functions and sometimes issue orders that undermine the authority of the other. A typical example of this ugly situation is reflected in the 1964 federal elections. Following reports of widespread cases of election malpractices, President Nnamdi Azikiwe requested the Prime Minister Sir Abubakar Tafawa Balewa to postpone the general election but the Prime Minister refused and went ahead to conduct the election. The Prime Minister's coalition party, Nigeria National Alliance (NNA) won majority of seats in the House of Representatives. In reaction, the President Dr. Nnamdi Azikiwe refused to exercise authority of calling him to form a government. Tensions rose sharply in Nigeria hereby forcing eminent and influential Nigerians to intervene before he decide to appoint Sir Abubakar Balewa to form a government (Dibie, 2018:316)

Fourthly, Nigerian political parties are not ideologically inclined. Parliamentary system thrives well and succeeds where political parties have clear ideological leanings. Ideology helps political parties to have strong unity and discipline, clear and practical programmes which it sells to voters and also check the defection of party members from one party to another. All the major parties in Nigeria (PDP, APC, LP, amongst others) appear to have similar political programmes. That explains why these parties, without exception, are witnessing members indiscipline and their constant defection to other parties. Such political behaviour is anathema to parliamentary system of government.

Lastly, parliamentary system is conflict and instability-prone. Such was the situation in the pre-independence and the First Republic as analysed in the previous sections of this



article. Nigerians now appear to embrace peace, hence parliamentary systems of government may not be accepted.

Conclusion

It is clear from our discussion above that the argument by some Nigerians within and outside the House of Representatives that parliamentary model is better in many aspects of governance than Presidential model is not supported by facts. The operation of that system of government between 1960 and 1966 was anything but cheap to operate. It was not peaceful and stable nor did it facilitate easy resolution of conflict and passage of legislations. It did not reduce the powers of the Prime Minister.

Base on these findings we come to the conclusion that re-adoption of parliamentary model in Nigeria will not only fail to achieve the objectives of its supporters but it also has a slim chance of successful re-adoption in Nigeria.

Recommendations

We recommend that the present Presidential model be maintained. However, since the major grudge against it is the high cost of operating the system and what, in our opinion, is the low quality of its operation, we therefore recommend two frontal changes to the system. These are: (a) constitutional amendments and (b) re-orientation of operators of the system.

Constitutional Amendments:

1. The tenure of the President of the Federal Republic and that of the State Governors should each be made a single six-year tenure only. Accordingly, sections 135(2) and 180(2) of the 1999 constitution be amended to reflect this recommendation.
2. Constitutional provisions concerning membership of the National Assembly and State House of Assembly should be amended to reduce their numbers to cut cost. For example, the number of senators per state should be reduced to one while the House of Representatives be reduced to three (3) per state. Accordingly to sections 48 and 49 as well as sections 71, 72, 73, 74, 75 and 76 be amended to put this into effect. The same should be carried out at the House of Assembly level.
3. The number of ministers should strictly be not more than one per state as contained in section 147(3) while the numbers of Special Advisers/Assistants should not be more than fifteen (15) both for the President and vice President. Section 151(2) should accordingly be amended. The same should apply at the state level concerning commissioners and special advisers.
4. The number of executive bodies at the national and state levels should be drastically reduced. Sections 153 and 197 of the constitution should be amended to capture this point.

Instilment of Democratic Capacity and Values on All Political Office Holders

Centre for Democratic Studies (CDS) should be reactivated and all elected political office holders without exception should be trained there before assumption of office. This will improve the quality of operators in the system with a view to cutting of cost and efficient delivery of dividends of Presidential system of government.



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