

DEFLECTIONS BY LAW MAKERS IN NIGERIA: IS LEGISLATING AGAINST IT THE PANACEA?

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Abstract

The practice of party defections where law makers switch political allegiance during their tenures have become prevalent in Nigeria raising concerns about the erosion of democratic mandates and voter trust. While party defections are neither peculiar to nor new in Nigeria's political landscape, the resulting constitutional and governance crisis it breeds underscores the urgent need for a tweaking of both the law and the political culture to ensure political stability and safeguarding of its nascent democracy. Employing a doctrinal research methodology, it examines the legal framework governing party defections in Nigeria, with a focus on the constitutional provisions and judicial interpretations of them with a view to exposing their effectiveness or otherwise in curbing the practice and interrogating whether anti- defection legislations alone is the panacea to this ugly trend. It concludes by recommending reforms to enhance democratic accountability, protect the integrity of elections, and rebuild public trust in the legislature.

Keywords: Party defections, Democratic process, Political parties, Voters, Legislators.

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1. Introduction

Nigerian's political journey began during the colonial era. The 1922 Clifford's Constitutional which introduced the Legislative Council that required four of the unofficial members to be elected necessitated the formation of political parties, the first of which was formed in 1923 named the Nigerian National Democratic party. It has been said that the political parties formed before the independence of Nigeria and those of the first, second and third Republics were patterned along regional and ethnic ideologies. (Daniel and Leke, 2024, pp 477-491) While the political parties in the current Fourth Republic in Nigeria cannot be strictly said to be along regional and ethnic lines, there are parties who had predominant presence only in particular geo political zones. The Alliance for Democracy was popular in the South West and the All Progressive Grand Alliance is predominant in the South East. Nigeria's return to civilian rule in 1999 ushering in the Fourth Republic brought hopes for democratic progress through a multiparty system, but persistent challenges have continued to obstruct the development of a truly effective democratic framework. (Onah & Azoro 2022, p 130). Nigeria's political terrain as a result of the multiparty system has been shaped by frequent changes in party allegiance, especially around election periods. These shifts often timed before or after elections, have become a regular feature of the political process. Rather than being unusual, defections have come to reflect a calculated move by politicians seeking to preserve influence, reposition themselves, or escape political decline. (Dappa, Enyioko and Henry, 2025, p 99)

Party defections are not peculiar to Nigeria or Africa. In India, defections are rife necessitating the Tenth Schedule to India's Constitution that contains anti defection provisions. *Articles 103* and *194* of Kenyan's Constitution 2010 made provisions to curtail unscrupulous party defections. Our West African neighbor Ghana also experiences party defections. The more developed democracies are not spared. There have been party defections in the United State of America during stable times of the three major two party systems in the country's history but more defections were experienced during periods of high ideological polarization. (Nokken and Poole, 2002, p 545) However, it is observed that party defections are rare in developed economies and usually they occur because of ideological differences. This work seeks to examine the practice of party defections by legislators in Nigeria, the applicable law regulating it, how the court has interpreted the law with a view to

determining its efficacy and whether or not there is need to steer the conversation away from seeing anti defection laws as a sole panacea for the practice and looking at the need for a paradigm shift in Nigeria's political culture. The work is divided into seven parts. The first part introduces the work, the second part deals with the conceptualization of keys words used in the work, the third part deals with reasons and rationale behind defections by legislators. Part four analyses the effect of defection by a law maker on democratic processes and values. Part five x-rays the laws regulating defections in Nigeria and undertakes a critique of the effectiveness of the constitutional provision on defection while Part six examines whether legislation alone is the panacea to the problem. Part seven concludes the work and makes recommendations.

2. Conceptualization of keys words

A political party is an organization of voters formed to influence the government's conduct and policies by nominating and electing candidate to public office. (Garner, 2004, p 1197)

A Political party is required to be registered and subject to regulations. The political parties also have their own internal law regulating the conduct of members. Political parties select members of the party to executive positions. In Nigeria, the executive head of a political party is the National chairman of the party.

In Nigeria's current democratic context, party defection has been described using various terms. It is commonly referred to as "party-switching", "carpet crossing", "party hopping" or "floor crossing". Regardless of the terminology adopted, the fundamental nature and implications of the practice remain unchanged. (Ulu and Okogbue 2024, p 171) More broadly, it involves abandoning a person, cause or some tie, as of allegiance or duty. (Ulu and Okogbue 2024, p 172) Defection has been defined by the Black's Law Dictionary (Garner, 2014) as an 'abandonment of allegiance, duty, the forsaking of a person or cause or desertion. The term 'political party defection' denotes the act of a member abandoning their current political party to align with another, often motivated by dissatisfaction or internal disagreements within their original party. The term 'political party defection' refers to the departure of a member from a political party to join another political party, typically because of discontent in the existing party. (Obani, 2020, p 162) It is defined as "...a shift of active political support or membership either by politicians, ordinary party members, or voters from

one political party to another in search of political power, public office or material gains without recourse to political ideology or principles.’’ (Ibrahim, 2023, p 84) In this context, the term party defection is employed as a broad concept encompassing any shift in party affiliation, whether by a sitting public officeholder, a candidate seeking elective office, or an individual appointed under the auspices of a political party. (Daniel and Leke, 2024, p 479)

A party defection may be formal or informal. A formal defection typically occurs when a duly registered member of a political party officially withdraws their membership, often by submitting a resignation letter to the appropriate party or legislative authorities. An informal party defection is when lawmakers vote contrary to the official position or directive of their political party in the legislature. Considering the notoriety of party defections in Nigeria, it is only apposite that answers be provided to the question ‘why party defections among law makers’? This will in the next part would examine the causes of party defections.

3. Causes of political defection in Nigeria

Several factors have been identified as drivers of political defection in Nigeria. They include:

3.1 Weak Political Institutions: In Nigeria, political parties are often not grounded in clear cut and consistent party ideologies. (Akpambang and Oniyinde 2020, p 13) Rather than promoting structured political beliefs they tend to operate as tools for personal or strategic political gain. This lack of ideological depth, combined with weak internal democratic practices such as limited transparency, lack of inclusiveness, and dominance by party elites frequently leads to dissatisfaction among members. (Akpambang and Oniyinde 2020, p 13) When individuals feel excluded or believe they are being denied fair political opportunities, they are more likely to switch allegiance to rival parties in search of better prospects. (Dappa et al, 2025, p102) For many politicians, defection is driven less by ideological conviction and more by the pursuit of access to power, resources, or political relevance. (Reuben, 2025)

3.2 Personal Political Ambition and Opportunism: defection is commonly driven by individual ambition rather than loyalty to party ideology or collective interest. Politicians often change party affiliation primarily to enhance their prospects of securing nominations or electoral victories, especially when they believe a rival party offers a better platform for achieving their personal political goals. (Akpambang and Oniyinde, 2020, p 13) Some

politicians become deeply involved in politics and commit to particular parties primarily out of self-interest, gravitating toward platforms that best serve their personal ambitions. (Edet, 2017, p 382) Defections from one party to another are often justified by citing the declining fortunes of their former parties frequently attributed to leadership struggles, absence of internal democracy, and perceived favoritism in the allocation of political opportunities. (Aleyomi, 2013, p 114)

3.3Electoral Realignment and Survival Strategy: In the lead-up to elections, party switching becomes a widespread tactic among Nigerian politicians. Many defects not because of a change in values, ideology or urgent national concerns, (Dappa et al, 2025, p 102) but to align themselves with parties that appear more likely to win and the increasing belief that aligning with the ruling party offers the most assured path to political survival, influence, and security. This pattern reveals that defection is often less about principle and more about preserving political relevance and securing electoral success. (Akpambang and Oniyinde, 2020, p 13)

3.4Crisis and Factions within Political Parties: Internal conflicts such as leadership tussles and the breakdown of consensus-building processes frequently trigger defections within Nigerian political parties. (Akpambang and Oniyinde, 2020, p 13) In numerous instances, unresolved disputes have led to the emergence of factional party structures and the large-scale departure of members who are dissatisfied. (Akpambang and Oniyinde, 2020, p 13)

3.5Internal Democracy within Political Parties: The absence of internal democracy within political parties remains a significant driver of defections in Nigeria. (Anikwe, Ogbuka and Udenta, 2025, p 28) Frequently, disenchanted politicians attribute their exit from parties to a lack of transparency, the imposition of candidates, or systemic marginalization in party affairs. Such internal deficiencies underscore the urgent need for reform and genuine democratization within political parties, as a means of curbing defections and fostering greater cohesion and stability in the political system. (Anikwe et al, 2025, p 28)

3.6Influence of ‘godfatherism’ and Political Patronage: An informed observer of Nigerian politics would readily recognize the pervasive role of political godfathers who are wealthy or influential individuals who guide the political aspirations of their protégés, often

referred to as godsons. This guidance is typically based on the assumption that the godfather's influence will confer electoral advantage. To sustain this influence, the godfather must remain politically relevant, even if it means switching party allegiance. In most cases, such defections are collective, with the godfather, godson, and their loyal supporters migrating to a new political platform, often with little regard for the larger democratic or public interest. (Nweke-Love, Muhammad, Ake, Iseolorunkanmi and Oladapo, 2025, p 134)

Additionally, financially disadvantaged individuals in the political arena tend to operate from a position of vulnerability, making them more susceptible to manipulation. This economic dependency fuels patronage politics, where loyalty is exchanged for material or political gain. As a result, such individuals are easily lured into defecting, further entrenching a culture of political instability and self-interest over principled party loyalty. (Nweke-Love et al, 2025, p 134)

3.7The Supremacy of Ruling Party Syndrome: The “winner-takes-all” ideology that underpins Nigeria’s political system has transformed ruling parties into attractive platforms, much like sweet-smelling flowers that draw swarms of insects. In this metaphor, the ruling party represents the alluring flower, while the “insects” signify opportunistic and vulnerable politicians eager to benefit from the privileges associated with aligning themselves with those in power. (Nwoko and Nweke, 2023, p 26) In practice, ruling parties often exploit their control over state resources to entice political actors into their ranks, particularly at the national level. This dynamic is most evident following presidential elections, where the party of the elected president tends to dominate the composition of the National Assembly through a bandwagon effect. (Nwoko and Nweke, 2023, p 27) The prospect of political patronage and access to state benefits makes defection to the ruling party highly attractive, creating a legislative landscape shaped not by ideological conviction, but by strategic alignment with the executive arm of government. (Nwoko and Nweke, 2023, p 27)

4. Effects of defection by a law maker on democratic processes

Party defections in Nigeria have negatively impacted the legislative arm of government by fostering hostility among lawmakers. It breeds unhealthy rivalry amongst law makers which undermines constructive debates and objective lawmaking. It has sometimes resulted to situations where there are factions in a legislative house and each faction sits

differently to make laws. The resultant effect is that governance is hampered. Frequent self-serving defections also erode public trust, causing many Nigerians to view their representatives with cynicism, distrust and ridicule. Such defections appear to the electorates as a betrayal given that they elected such a defector on the platform of a political party whose “ideology” they believe in only for the elected to switch allegiance to another party. The trend shows that some politicians in Nigeria frequently switch party affiliations, not out of principle, but based on where the personal or political rewards appear greater. (Nwoko and Nweke, 2023, p 27) This behavior reflects a deeper crisis in political leadership, where self-preservation and short-term benefits override any genuine dedication to democratic values or public service. (Nwoko and Nweke, 2023, p 27) Party defections weaken democratic values in a country. It undermines Nigeria’s multi-party system by exposing the lack of ideological commitment and strengthening personal interests over party principles. This ultimately hampers the consolidation of democracy in the country. (Badejo, Agunyai and Buraimo, 2016, p 11)

Frequent defections especially towards the ruling party drain opposition parties’ strength, and fuel political instability. It provides an environment that is conducive for the ruling party to be unaccountable and hampers the development of a truly competitive democracy. (Badejo et al, 2016, p 11) This undermines the essence of democracy and weakens the role of opposition parties. A healthy democracy requires a vibrant opposition to keep the ruling party in check and ensure good governance. Defection by politicians also enable them switch party allegiance to evade responsibility for their actions, which in turn poses a serious threat to accountability in governance. This practice which disrupts the clear link between a politician’s conduct and electoral consequences, making it increasingly difficult for the electorate to assess and hold public officials accountable for their performance, undermines transparency and weaken democratic oversight. (Osezua and Olumide, 2023, p 60)

It has been argued that the frequent incidence of political defection in Nigeria casts the country in a negative light within the international community. (Nweke-Love et al, 2025, p 136) The persistent movement of legislators across party lines raises concerns about the stability and maturity of Nigeria’s democratic institutions. (Nweke-Love et al, 2025, p 136) This perception could, in turn, lead to skepticism from foreign investors and trade

partners, potentially hindering economic relations. It has also been argued that such political inconsistency may tarnish Nigeria's image on the global stage, portraying the nation as politically unstable and lacking seriousness in its democratic commitments. (Nweke-Love et al, 2025, p 136) This work agrees with the position that frequent defections have hindered the development and stability of political parties and has led to increased political fragmentation. While some parties may benefit temporarily from such defections, others risk collapse as key members leave. (Nweke-Love et al, 2025, p 136) This is because defections weaken parties' human and material resources, impairing their ability to perform vital democratic roles. The political parties get their financing from their members. Where there is mass defection from a political party it will certainly affect its funding ability. There is no gainsaying that funds are required for a vibrant party and more so for a formidable opposition capable of putting the ruling party in check.

5. The law regulating party defection by a law maker in Nigeria

The position of the law on the defection of a lawmaker in Nigeria is set out primarily in *sections 68(1)(g) and 109(1)(g)* of the Constitution of the Federal Republic of Nigeria (CFRN) 1999. These provisions apply respectively to members of the National Assembly (Senate and House of Representatives) (*Section 68(1)(g)*, CFRN, 1999) and members of State Houses of Assembly (*Section 109(1)(g)*, CFRN, 1999)

Under both sections, the law mandates the forfeiture of a seat by a lawmaker who defects to another political party during the term for which they were elected. *Section 68(1)(g)* provides:

68 (1) A member of the Senate or of the House of Representatives shall vacate his seat in the House of which he is a member if-

(g) being a person whose election to the House was sponsored by a political party, he becomes a member of another political party before the expiration of the period for which that House was elected...

Provided that:

His membership of the latter political party is not as a result of a division in the political party of which he was previously a member or of a merger of two or more political parties or factions by one of which he was previously sponsored.

Thus, a lawmaker does not lose their seat if the defection occurs due to a division in the original political party; or as a result of a merger between parties involving his original party. The term ‘merger of two or more political parties’ is clear and has not been subject to controversy or diverse judicial interpretations but the term “division” has been the subject of litigation and has received narrow interpretation by the courts. The Supreme Court in *Ifedayo Abegunde v. Ondo State House of Assembly* (2025) held that the division must be substantial, fundamental, and national in scope, not merely an internal conflict or leadership crisis. A minor dispute within a party or disagreement at the state level does not qualify as a division that justifies defection. The division must be “so deep and intractable” as to make the functioning of the party impracticable. It is not sufficient that there is a mere disagreement among members or between party factions. The division must be fundamental and affect the national structure of the party. (Ozuo, 2022, p 07) The court also held that “a division envisaged by the Constitution must be one that makes it impossible for the party to function as a cohesive unit”(Ozuo, 2022, p 07) The court stated further that:

...the division envisaged by *section 68(1)(g)* of the CFRN refers to division in the party at the top or center and not division at the State or Local Government level as contended by the appellant. Since a political party is recognized as one corporate entity, division must be one that affects the entire structure of the political party at the center, that is, the national leadership of the party. A political party has to be looked at as a whole and not in piecemeal... it must be a serious division not the type of division relied upon by the appellant. The national officers of the Party must be involved.

In recent cases involving Governors, such as *PDP v. Umahi & Anor*, (2022) the court affirmed that the votes belong to the political party, not the candidate and the Governor and his deputy, having defected from the PDP to the APC, had vacated their offices although the appellate court stayed the order. In fact, the Court of Appeal (*Delta State House of Assembly & Anor v Democratic Peoples’ Party & Ors*, (2014) in interpreting the section as it relates to members of the State House of Assembly supported this position when it held thus:

My humble view is that for the person defecting to another party to be able to take advantage of the proviso in *section 109(1)(g)*, he must prove that the party

he is leaving has been divided into two or more. That is to say, the party must be so polarized as to have two chairmen, two or three different Boards of Trustees each claiming to be the authentic one and each still bearing the same party name. That is the type or extreme division envisaged by the Constitution.’

5. A critique of the effectiveness of the constitutional provisions on defections

It is rather astonishing to say that, political defection is not only legitimate but is provided for in the CFRN, albeit with exceptions. (*Section 68 and 109*, CFRN 1999) The legitimacy of political defections in Nigeria is derived from the right to freedom of association enshrined in the CFRN, particularly in *Section 40* which provides thus; “Every person shall be entitled to assembly freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any association for the protection of his interests.” Notwithstanding the provisions of the above section, it is imperative to note that the right to freedom of association is not absolute for law makers in Nigeria. There are circumstances where a politician will be deterred from defecting even though he has a right to freedom of association.

Under the Nigerian Constitution political party defection is controlled rather than prohibited. The first impression created by *section 68(1) or 109(1)* is one of prohibition. However, this is qualified by the requirement in the proviso. To further demonstrate the “control” as against prohibitive nature of the provision, the constitution makes vacation from office conditional on one hand on the decision of the President of the Senate or Speaker of the House of Representative based on evidence received by them. In essence, the Senate president or Speaker is the only person so authorised to bring to effect *Section 68(1) or 109 (1)*. It can only be done (a) if evidence is adduced and (b) the House finds the evidence satisfactory. (*Section 109 (2)*, CFRN, 1999)

It is submitted that *Section 109 (2)* only increased the ineffectiveness of *Section 109 (1)*. It is the opinion of the writers that *sub section (2)* is totally unnecessary having made *section 109 (1)* a mandatory provision viz ‘A member of a House of Assembly SHALL vacate his seat....’ Going through the full gamut of this section, the vacation of a seat not covered under the proviso of *Section 68 or 109* should be automatic upon defection. The question now remains: what happens where after a defection, neither the Speaker, President

or a member of the House brings an evidence of a defection before the House? Invariably where the House turns a blind eye to a defection, a law maker guilty of a defection will nevertheless continue to hold his office as if he never defected. Other questions that beg for answers are where according to *sub Section 2*, the House does not find the evidence of defection satisfactorily enough to give effect to *Sections 68(1) or 109(1)*, what is the resultant effect? What happens where the House is divided as to the satisfactoriness of such evidence? The CFRN does not give a definitive provision as to what amounts to a 'satisfactory evidence' and has left it to the subjective minds of the law makers who make up a Legislative House. Just like the term 'division' that is enough to excuse a defection, the interpretation of 'satisfactory' is ultimately left in the hands of the judiciary. The position of this work is that the proviso to both sections under review provides an escape route for politicians to defect since there are always divisions within the political parties. It provides the platform for many legislators who intends to defect to justify their actions on the ground of division within their political parties since the 1999 constitution is not definitive on the kind of division that could justify a defection. Even the type of division required is still a cause for debate. The reason, for instance, the late senator, Ifeanyi Ubah, gave for his defection to APC on the floor of the Senate in December 2024, puts this issue in bold relief. He had cited "irreconcilable differences" between him and the leadership of the Young Progressives Party (YPP). This excuse is incongruous with the provisions of the Constitution. Yet, he did not vacate his seat. Instead, he was received with open arms by the President of the Senate, Godswill Akpabio, who read his letter of defection. (Premium Times, 2025) It is unfortunate that law makers will continue to take advantage of the loopholes in *Section 68 (1) (g) and 109(1)*. Although both sections provide that a legislator who defects to another party other than the one on which he was elected shall vacate his seat, the proviso in the sections and subsection 2 of both sections makes it near impossible for a legislator to vacate his seat after defecting to another party. The president of the Senate or the Speaker of the House of representative or House of Assembly who the law puts the responsibility on to give effect to the law is usually a member of the ruling party. The trajectory of the defections is usually from a party into the ruling party. So, expecting the President of the Senate, a member of the ruling party to declare the seat of a senator who has defected into his party is akin to passing a camel through the eye of a needle. But the reverse can easily be the case as the provision of the law would easily have been given effect if the defector was defecting from the ruling party. It is noted that the

aggrieved political parties can approach the courts seeking declarations to the effect that such defectors have lost their seats in the relevant legislative House. Hopefully the political parties would explore this window and the aftermath would certainly enrich the jurisprudence in this area. The Constitution only makes provision on defection of legislators and is silent on members of the executive branch of government. The provision appears discriminatory since Nigeria practices a presidential system of government. It is in parliamentary system of government, that defection law basically targets legislators to maintain party discipline and stability of government. This is due to the fact that members of the executive are drawn from the legislature as is practiced in the United Kingdom and defections can easily be used to destabilize the government. Perhaps the rationale behind limiting the anti-defection laws to the legislators in Nigeria lies in the fact that the relationship between the executives with political parties is different from the one the legislature has with the political parties and may not be subject to the same party discipline as their legislative counterparts. Also, the executive function with a level of independence from the legislature. An erring member of the executive can easily be disciplined by internal mechanism of the party or constitutional provisions like impeachment. Whether members of the executive arm of government in Nigeria say for example a governor can be disciplined internally by his political party is left to be seen. Recently, the governors of two states in South- South Nigeria defected to the ruling party taking with them a substantial number of members of the party they defected from including the legislature. Who will discipline such governors? What is the possibility of them being impeached? Assuming anti-defection laws applies to the executive, in the case of these governors who would assume their seats if it is declared vacant? Since there cannot be vacuum in power, what happens? The peculiarities of the executives perhaps necessitate their exception from the law regulating defections.

The effectiveness of the provisions against defections also depends on the judicial arm of government who has the responsibility of interpreting the provisions of the law in line with the spirit of the law. There is a mischief that the law was made to remedy. It is the view of this work that the mischief is the prevention of situations where defections are used to destabilize the legislature and scuttle democratic processes and values. The law therefore should be interpreted to achieve such purpose. The Nigerian courts have risen to the occasion and its decision in most cases has been in line with the purpose of the provisions.

6. Is legislation alone a panacea for the problem of indiscriminate defections by Nigerian legislators?

It is the posture of this work that anti defection laws alone are not the panacea for the challenge of legislators defecting from the party that sponsor them to a legislative house to another. In various countries of the world, anti- defection laws have not served as sufficient deterrent to would be defectors. Kenya has anti- defection laws. (*Articles 103 and 194* of Kenyan Constitution 2010 and *Section 14A (1) (c)* of Political Parties Act 2011 of Kenya) clearly prohibits cross carpeting from a political party to another within an election cycle. The courts in Kenya have also consistently upheld the spirits of the law in this regard (*Council of County Governors v the AG &Anor*, 2017) yet party defections are rife in Kenya. The anti- defection laws in Ghana (*Art 97 (1) (g)* of Ghana’s Constitution, 1992) have not deterred cross carpeting nor has the laws in India (The Tenth Schedule to the Indian Constitution 1985) stop politicians from defecting. Here in Nigeria, it is not the lack of anti – defection laws that has allowed the practice to fester. Even where the loop holes in the law identified earlier are addressed, there is no 100 percent guarantee that the phenomenon will abate.

There is the need to look beyond legislation alone for a panacea to this challenge. Cross- carpeting based on ideological differences is rare in Nigeria. Even the reasons given for the defections in the cases discussed earlier in this work were not ideological differences but rather due to purported divisions within the party in questions. The question then is why are there so many divisions within our political parties? When is it that after every election cycle, massive defection from other parties into the ruling party is witnessed? Why is it that before any general elections defections becomes common place? Why is it that we see politicians’ defect from one party to another in an election cycle and by the next election cycle they defect back to the party they earlier defected from? The answer lies in the kind of political culture we have as a nation. Politicians do not see going into public office as a call to service. Rather it is viewed as a means to enrich oneself. So, getting an elective position becomes a ‘do or die’ affair. It is submitted that if that political culture is addressed and politicians see election to public office as opportunity to serve, the desperation to get elective offices at all cost will be removed. There will be readiness and willingness to wait for another

opportunity. If the reason for seeking political office is what one can get, then not getting an elective position is not an option. Such will do anything to get into office.

But the bigger question is how do we change this political culture? The answer in our view lies in making public office very unattractive. A country with a political culture where persons in elective positions live larger than life with the majority of the citizenry living in abject poverty should not be surprised that politicians throw caution to the wind in search of election positions. The reason is glaring. Public office is too attractive. Many of the persons parading as politicians today will naturally fizzle out if the largess they are getting from public office is no longer there. It is only those who are interested in contributing to society that will remain when the perks of office are no longer there.

7. Conclusion

Political parties play a vital role in democratic societies by facilitating representation, fostering leadership, encouraging public participation, and promoting accountability. In many developing democracies, however, the frequent switching of allegiance by politicians has reduced the effectiveness of parties. This study argues that such political defections dilute party ideology and hinder the ability of parties to be held accountable to the electorate. (Daniel and O. Leke, 2024, p 489) The recurring pattern of party switching in Nigeria reflects a significant deficiency in democratic commitment and ideological conviction among the political elite. Many politicians prioritize personal ambition over public service, treating politics as a means for personal advancement rather than a platform for meaningful governance. (Onah and Azoro, 2022, p 140) This behavior undermines the credibility of opposition parties, marginalizes alternative viewpoints, and weakens the democratic process by limiting genuine political choice. Such practices erode the foundational values of democracy and reduce electoral competition to a mere struggle for power. To address this issue, the Nigerian Constitution includes anti-defection clauses in *Sections 68(1)(g)* and *109(1)(g)*, aimed at restricting arbitrary defections and preserving the integrity of electoral mandates. (Onah and Azoro, 2022, p 140) Yet, the law is deficient as it also provides escape route for law makers who defect from being caught up with the law. The work concludes that it is very easy for a defector to get away with his actions under the existing laws. There is need to rejig the law to provide for the remedy to the mischief that it

seeks to cure. The work also found that legislating against indiscriminate party hopping alone cannot curb the menace. That it is needful to reshape the political culture of seeing public office as a means of self-enrichment rather than a call to serve. Consequently, the work makes the following recommendations:

First, there should be a review of *Sections 68 and 109* of the CFRN to clearly define ‘division’ that can justify a defection from a political party. The law should be so clear as to limit judicial interference as it relates to judicial interpretations which could be subject to the idiosyncrasies and frailties of the human mind. Second, the provision should be reviewed to include a provision to the effect that where the President of the Senate or Speaker of the House of Representatives or Speaker of a State House of Assembly as the case may be fails to give effect to the provisions of *Sections 68 (1)* and *109(1)* in line with subsection 2 of these sections, the ‘aggrieved’ political party can approach the court to compel such presiding officer to comply. Third, there should be a time frame within which the electoral commission should conduct bye-elections to fill legislative positions declared vacant. Fourth, enact a legislation that formally recognizes the electoral mandate as belonging to the political party, not the individual candidate. This will shift focus from personality-driven politics to party-based representation and strengthen party ideologies. There should also be continuous civic re-orientation and mandatory ideological training for aspirants and office holders. Lastly, public office should be made unattractive so that only persons who want to serve are drawn into the electoral process and eventually take up elective offices.

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