

## **Legislative Turnover and Performance in the 8th And 9th Nigeria's National Assembly**

**Sunday Chibuzo Okereke (PhD)**

*Institute of Governance & Democratic Studies, Department of Political Science, Federal University, Lokoja –  
Nigeria*

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**ABSTRACT:** The role of cognate experience in enhancing legislative effectiveness and performance capacities is critical given the complexities of the work of the legislature and its centrality as the prime democratic governance institution. This paper examines the legislative turnover in the 8th and 9th Nigerian Senate and legislative performance. The paper employs a mixed method of desk review, observations, and key participants' interviews and analyzed data by looking at existing literature and at the number of bills passed, selected oversight functions performed, leadership recruitment process, legislative assertiveness, and public policy impact. Its findings indicate that legislative turnover has a significant impact on the performance of the 8th and 9th Senate and that most of the high turnovers occur at the party primary stages due to the poverty of internal party democracy and entrenched zoning systems. The high turnover of lawmakers leads to a loss of institutional memory, increases the cost of governance, wanes the legislative capacities of the Assembly, and potentially reduces the degree of legislative assertiveness, and quality of legislative debates which affects the ability of the National Assembly to perform its functions effectively. The study concludes that reducing high legislative turnover is crucial to improving the performance of the Nigerian Senate. The paper recommends the adoption of mid-term elections with only 2/3 of legislators' seats declared vacant for elections. It is further recommended that political parties' internal democracy rules should be strengthened, improved institutional capacity of the legislature through patriotism, and enhancement of mass-literacy campaigns on the constitutional roles of the legislature and legislators.

**Keywords:** *Turnover, Legislature, National Assembly, Performance, Nigeria*

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### **I. BACKGROUND TO THE STUDY**

The legislature is a democratic Assembly of elected and appointed representatives of the people. Members of the legislature are chosen through democratic elections to represent different constituencies at the national, regional, or-sub national legislatures. Every election circle produces changes in the membership composition of the legislature. Inter-Parliamentary Union [IPU] (2014) avers that the changes represent two distinct perspectives on the democratic character of states. On one hand, the changes that occur in the legislature after an election are viewed in terms of an indicator of a healthy democracy that responds to the democratic credential of a popular electoral process where eligible citizens demonstrate their democratic rights to re-elect serving legislators or reject them through the ballots for other perceived better candidates. On the other hand, there are concerns that legislative turnover can have an impact on the effectiveness and performance of a legislative assembly (Lawan, 2023; National Institute for Legislative and Democratic Studies [NILDS], 2022).

IPU (2014) reports that there is a growing amount of high legislative turnovers in recent years with an average of over 50% rate of turnovers in some countries consistently. The Nigerian National Assembly records an average of 69 to 80% in turnover since the fourth republic, especially in the 8th and 9th National Assembly (NILDS, 2022). Different reasons have been adduced for high legislative turnovers globally, particularly in Nigeria. It has been observed that there are several intervening variables and unique political dynamics that continue to fuel high legislative turnover beyond the traditional choices of voters at the polls, which differ from one jurisdiction and political systems and arrangements to another. Chiefly amongst these variables are the fact that some legislators may decide not to contest for re-election, while some legislators may not scale through primary elections (Gouglass and Maddens 2017). Similarly, power rotation, zoning, poor internal democracy mechanism within the parties, executive influence, money-bag politics, weak electoral systems, voter uncertainty and knowledge, and poor representation are factors adduced to be responsible for high legislative turnover in Nigeria (Mark, 2015, Akinola, & Mosunmola, 2023, Abioye & Amin, 2019) and Kerby and Blidook (2011). The Nigerian National Assembly performs complex and sensitive responsibilities of law-making for the peace and good government of the country, oversight to ensure executive compliance with appropriations and ensure value for money on government expenditure, and representation to articulate, aggregate, and present interests of the constituents to government as well as present government policies, programs and projects to the people while acting as a rallying center for political participation of citizens. To effectively perform these onerous tasks, it is

required that the legislature is composed of people with cognate experience. The absence of cognate experience and requisite skills in conducting the complex functions of the legislature has direct nexus with the high legislative turnover prevalent in the Nigerian National Assembly and implications for legislative capacity and performance is the central task of this paper. Premised on the above, the paper examines the phenomenon of legislative turnover in Nigeria's National Assembly by focusing mainly on the 8th and 9th National Assembly. In so doing, the paper strives to provide answers to the causes of high legislative turnover as well as its implications for legislative performance.

## **II. CONCEPTUAL DISCOURSE**

Matland and Studlar, (2004) defined legislative turnover as the aggregate level of exit of legislators, from one general election to the next, of elected representatives in a bicameral or unicameral legislative system. Implicitly, Matland and Studlar studied turnover in terms of the total number of exits of legislators from one electoral cycle to another. For Francois & Grossman (2015) legislative turnover is the rate of incoming legislators and the rate of first-term legislators in an electoral cycle. They underscored that every Assembly is composed of re-elected representatives and newly elected representatives which includes former legislators who lost election but got re-elected in a new Assembly. Francois and Grossman argued that incoming legislators and the rate of first-time legislators are two different ratios necessary for measuring legislative turn in a parliament. Similarly, Manow (2007) posited that legislative turnover represents the observable change in composition in terms of membership of a parliament on the first of the sitting and on the last day of the sitting in comparison with the parliament on the first day of a new parliament sitting. Observably, Manow's arguments capture various notions of determining legislative turnover including those that may have died in a previous assembly after its inauguration, legislators who may have been removed through court judgments, or those who became incapacitated and unable to perform the functions of the office as well legislators who may have been appointed into cabinet positions or recalled by their constituents. As posited by Matland (2004) and Ogundele and Anifowose (2018), the contributory variables to legislative turnover determination vary from one system of government to another. In most absolute presidential systems as practiced in Nigeria and the United States of America, where majoritarian system electoral representation is operated, legislators appointed into executive cabinet offices are required to resign their membership of the legislature and the death of a legislator is replaced through a direct constituency election opened to all eligible political parties. However, in hybrid systems, or where proportional representation is adopted like South Africa and Ghana. In the latter, though direct constituency elections are adopted Members of Parliament can serve as cabinet officers simultaneously. Whereas in the South-Africa and German's Bundestag, the death of a Member of Parliament doesn't require fresh constituency elections, the affected party is required to nominate a replacement.

Expanding their theoretical understanding of the concept of legislative turnover, Matland et al (2007) further averred that turnover exists in two broad types. The involuntary exit and voluntary exit of legislators. In their study of over 30,000 legislators' decision points across twenty-six democracies globally, they contended that involuntary exits of legislators occur mostly when they are (a) defeated in an election, (2) were unable to be re-nominated by the political party during primary elections, (3) is forced to resign the seat, for example, due to scandal or recalled by the constituents, or (4) dies as serving legislators. It is important to note that the variable of scandal, recall, and forced resignation has never been responsible for the removal of a legislator in modern Nigeria's history. The study identified death as the ultimate form of involuntary exit; in terms of overall turnover, but not the major variable of consideration because of its character of uncertainty and immeasurability and concluded that defeat at the ballot box and the failure to be re-nominated by the party as the primary methods of involuntary exits (Krishi and Sule 2015)

Conversely, Matland et al opined that Voluntary Exits involve variable factors in the decision of legislators to leave the legislature largely after consideration of the cost-benefit analysis of seeking re-election and other career opportunities. Kerby and Blidook (2011) agree with this position when they averred that cost-benefit is a central factor to legislative voluntary exit. However, this is not applicable in all jurisdictions as observed evidence and an abundance of mainstream literature have shown that legislators hardly voluntarily retire from politics except in cases where they are seeking higher positions or political interests. In Nigeria for example, like other jurisdictions, legislators do not have the challenge of term limits imposed on the executive arm of government. This is largely attributed to the notion by scholars and democratic institutions that the legislature requires legislators with cognate experience to preserve the institutional memory and enhance legislative effectiveness and performance. Nigeria and most third-world countries are strongly enmeshed in elite clientelistic and patronage politics, where public service is rightly perceived as the fast road to acquiring massive wealth and living flamboyantly on the commonwealth of citizens at the detriment of governance and development (Demares, 2022). Evidence from Nigeria, the United States, and other nation-states studied by Matland et al (2004), Manow, 2007, Hamalai et al (2015), and Abioye et al (2019) shows voluntary factor to legislator turnover is very low and less than 1%. In Nigeria, one Senator David Mark, the President of the 6th and 7th voluntarily resigned from

seeking re-election in the 9th Senate out of the 109 Members of the Nigerian Senate. However, literature and political reality from Nigeria suggest there are other dynamics in the voluntary exit of legislators including political ambition to seek higher offices like moving from the House of Representatives to the Nigerian Senate, moving from the Senate to become a Governor, as well as moving from the Senate to become the President, Minister of the Federal Republic and/or a Vice President amongst other political realities of the Nigerian state. On the whole, whether turnover is defined, studied, and understood in terms of as a disaggregated element, or as an assembly level or political group leaves, this paper defines the notion of legislative turnover in terms of the number of serving legislators who could not win their re-election bid both at intra-party and inter-party ballots. The definition provides the analytical lens to understanding the nexus between legislative turnover and legislative performance.

The concept of legislative turnover can be studied within a variety of theoretical frameworks (Krupnikov and Shipan, 2018). Legislative turn can be positive or negative depending on perspective. On one hand, high legislative turnover is considered a healthy democratic culture that has the potential to give opportunities for democratic representation to vulnerable groups like youths, women, and marginalized groups and also engender new policies, innovations, and creativity in the governance system. Similarly, high legislative turnover is linked to the possibilities of weak legislative capacity, delay in policy decisions, and inability to robustly hold the government to account. Therefore, the management of legislative turnover will rest on elite decisions to balance the competing interest between promoting the democratic rights of citizens to select their representatives through the ballots and upholding a low turnover of the legislative assembly to enhance the legislative and institutional capacity to perform effectively. In dealing with these competing arguments, the unresolved question is whether cognate experience and low legislative turnover have helped to enhance the legislative capacity and assertiveness of parliaments. The notion of high legislative theory responds to the theoretical underpinning of elite circulation thoughts. It argued that high legislative theory is about elite circulation which helps to engender changes in style and formation of public policies. The main thrust of the elite circulation theory is that it promotes democratic opportunities for new ideas, public trust, and legitimacy and averts what Jackson Pithily described as dangers of 3 As of arrogance, apathy, and atrophy. For example, in Nigeria, the President of the 9th Nigerian Senate and Speaker of the House of Representatives who are the longest-serving Members of the National Assembly having been in the National Assembly for about twenty years respectively stated that "Whatever Mr. President brought to the National Assembly will be approved because Mr. President meant well for Nigeria." "These positions lowered public perception and trust in the 9th Assembly, which is overtly referred to as the "Rubber-Stamp" Assembly.

Legislative turnover as has been established above is also understood as an important component of democratic theory and sovereignty theory which establishes democratic governments as governments by the will of the people and that government draws the power to govern from the people are the custodians of democratic powers in a nation state. It, therefore, follows that the people have the democratic right to hire and fire representatives through the ballots which can birth high, normal, or low legislative turnovers. To explain implicitly or explicitly, turnover is an important component of democratic theory.

Conversely, the liberal democratic theory underscores democracy as democratic means of preventing tyrannical governments. Democracy, therefore, is designed to promote inclusion and prevent abuse of power and moderate tyrannical tendencies of government. The theoretical perspective espoused corroborates the notion of legislative turn in terms of the people having the right to hire and fire their representatives to engender elite circulation and engender new policy paradigms in government and governance. This is the underpinning prescription and predictions critical to representation theories that emphasize descriptive representation is a legislature where there is a broad representation of multicultural groups and demography which helps to bring about a shift in policy priorities. When previously excluded groups organize and raise demands for fair representation. However, the elite circulation theory, sovereignty and liberal democratic theories which respond to the potential of voters to produce high legislative turnover has been criticized for not taking into account the political dynamics and realities that inhibit citizens from freely exercising their democratic rights to engender high legislative turnover. Some of these factors especially in Nigeria include a weak electoral system, corruption, a high rate of illiteracy, electoral violence, votes buying and selling, and bad governance. It is argued that voters' choices in Nigeria are also influenced by primordial factors such as ethnicity, and religion which undermines the logic of high legislative turnover that can enhance legislative effectiveness. Despite these criticisms, the elite circulation theory is the best fit theoretical framework to understudy the idea of legislative turnover in the 8th and 9th National Assembly of Nigeria.

### **III. LEGISLATIVE TURNOVER RATE IN THE NIGERIAN NATIONAL ASSEMBLY**

Legislative turnover is a common phenomenon in legislative bodies worldwide, including the Nigerian National Assembly. The ability of the National Assembly to effectively discharge its constitutional mandates among other things depends on the quality of the elected representatives, stability, and cognate experience over a

sustained period of time the political will to apply the experience acquired to patriotically administer the business of the legislature. These factors are often affected by the high rate of legislative turnover that has become prevalent in the Nigerian National Assembly since the return of democracy in 1999, especially in the 8th and 9th Assembly representing the first time in modern political history if Nigeria- where an incumbent President was defeated and power transited from one democratically elected President to another elected President in a different political party (Hamalai et al., 2015).

According to NILDS (2023) and Hamalai et al. (2015), Nigeria's legislative turnover rate has been high since the return of democracy. As already stated, the focus of this appraisal focuses on the determination of legislative turnover at the Assembly level. This is predicated on the fact that Assembly level analysis of legislative turnover helps in a more appropriate assessment of legislative performance since legislative functions are not largely individual affairs but through institutional design and procedures. Every election has witnessed a significant turnover of legislators. Evidence from the National Assembly is presented in the table below:

**Table 1: Trends of Legislative Turnover in Nigerian Senate (2007 to 2023)**

Assembly (Date)	Number of Seats	Re-Elected Legislators	Newly Elected Legislators	Turnover Rate (%)
6th Assembly (2007–2011)	109	23	86	79%
7th Assembly (2011–2015)	109	36	73	67%
8th Assembly (2015–2019)	109	39	70	64%
9th Assembly (2019–2023)	109	45	64	59%
10th Assembly (June 2023)	109	25	84	77%

Source: Compiled by the author.

Studies from NILDS (2016) and Abubakar (2023) and Lawan (2023) and field evidence from this paper show that the trends and rate of legislative turnover in Nigeria have been above the global average of over 50% according to IPU-Global Parliamentary Report (2014). In the 8th Assembly, the turnover rate, measured in terms of the number of newly elected Members of the Senate of the National Assembly 64%. The implication of this is that about 70% of the Members of the Senate who serve in the 7th Assembly were not re-elected in the Assembly and implied that about 70 Members of the Senate in the 8th Assembly were newly elected. Similarly, the 9th Senate witnessed about 59% in the rate of turnover, implying that about 64% of the members of the 8th Assembly did not return to the Senate in the 9th Senate of the Federal Republic of Nigeria. This also has implications for the resource and institutional capacity and legislative assertiveness of the Assembly. The task of the legislative business is complex and procedure. IPU reports projects that it takes about 4 to 5 years (One full tenure) for legislators to master legislative procedures and rules before they can effectively engage in the quality delivery of legislative services. In the 8th Assembly for example the emergence of Senator Bukola Saraki of the APC and Senator Ike Ekweremadu of the PDP as the President and Deputy President of the Senate respectively triggered a frosty relationship with the Presidency and the Executive arm of government. The President of the Senate was charged with corruption and alleged illegal manipulation of the Senate Standing Orders. Nearly throughout the life of the 8th Senate, Senator Saraki and a host of other Senators appeared before the Code of Conducts Bureau Tribunal even in traditional Legislative Business days to defend his Assets declaration case. This had negative effects on the productivity of the 8th Senate. To illustrate the perception and frustrations of the 9th Leadership on the trends of turnover in the Senate, the President of the 9<sup>th</sup> Senate, Senator Ahmad Lawan lamented the negative impact of high legislative turnover saying:

We are deeply worried by the high rate of turnover of Senators. This is a drawback to the efficiency and experience of the institution of the Senate. The Senate through the National Institute for Legislative and Democratic Studies (NILDS) committed a lot of resources to training and providing experience opportunities to Members. To lose 80% of our members in this election means starting a lot of things afresh. Because when people are new in the National Assembly, they would need a lot of time to learn and get trained to be to engage and



participate actively. I think the job of the NILDS is cut out for them, they have to do a lot more training the numerous members and bring up to speed on parliamentary practices and procedures.

Despite these lamentations by most of the Senators, the trend of Legislative turnover in the 10th Assembly following the reports of the election results by the Independent National Electoral Commission (INEC) shows that the 10th Senate recorded 77% turnover, which is more than 20% increase from the 59% reported in the 9th Senate. Indeed, the issue of high legislative turnover in the Senate and National Assembly at large has become a subject of deep scholarly and public commentators' inquiry with two major classes of debate of those who support high rates of turnover noting that the Senators are representing themselves and therefore should be voted out while other like the 3rd Republic President of the Senate, Sen. Ebute Ameh suggesting the need to reduce the rate of turn by amending the electoral system for National Assembly elections to ensure that only 2/3 of Senators seats are declared vacant during elections to allow for increased retention rates.

**Table 2: Trends of Legislative Turnover in the Nigerian House of Representatives (2007 to 2023)**

Assembly (Date)	Number of Seats	Re-Elected Legislators	Newly Elected Legislators	Turnover Rate (%)
6th Assembly (2007–2011)	360	80	280	78%
7th Assembly (2011–2015)	360	100	260	72%
8th Assembly (2015–2019)	360	110	250	69.4%
9th Assembly (2019–2023)	360	151	209	57%
10th Assembly (June 2023)	360	109	251	70%

Source: Compiled by the author.

Similarly, the situation is not different in the House of Representatives where the trends and rates of legislative turnover have continued to remain very high each election cycle. Table 2 above shows that turnover in the 8th Assembly was about 69% while that of the 9th Assembly is 57%. The average rate of turnover between the 8th and 9th Assembly is well above the over 50% global average across many countries according to the IPU report (2014).

The high turnover rate in the Nigerian House of Representatives like the Senate has been a subject of concern for many years and continues to agitate the stakeholders and democracy promoters alike. This corroborates the understanding that high legislative turnover as it affects the institution's ability to function effectively and deliver on its mandates of robust law-making, effective oversight, and quality representation to Nigerians and constituents who continues to make demands for more and better representation, citizens' participation in the legislative process, better legislative assertiveness in relationship with the executives to put the Nigerian people first. The high rate of turnovers has been attributed to grave implications for legislative effectiveness and capacity in law-making and oversight (Lawn, 2023, Abubakar, 2018 and, Terhemba, 2015).

#### **IV. FACTORS CONTRIBUTING TO LEGISLATIVE TURNOVER IN NIGERIA**

In the introduction and conceptual review, factors responsible for legislative turnover in Nigeria and elsewhere have been robustly espoused. Chief among these factors under the Nigerian political reality are weak internal party democracy, moneybag politics, weak electoral process, executive influence, and dominance (Halamai, 2014:43). These contributing factors are manifest in Nigeria's electoral ecosystem where Governors and stakeholders decide who gets nominated or others. For example, the 2022 Electoral Act on the procedure for party primaries whether through direct, indirect, and/or consensus approach created confusion on issues of eligibility of delegates particularly for parties like the People's Democratic Party (PDP) that adopted the indirect election methods, which allowed for only elected delegates to vote for the party's candidates. The incumbent State Governors capitalized on this new provision of the Electoral Act to dictate those who will get nominated to contest for re-election. The fallout of this executive dominance led to abait 70% turnover in the National Assembly Membership after the primary elections (Abubakar, 2023). Similarly, the executive dominance led to massive defection of PDP Members in the South East and parts of South-South to the Labour Party. Additionally, as

highlighted earlier, zoning is an informal political arrangement often christened “charter of equity” whereby communities or Local Governments Areas (LGAs) that make up a constituency or senatorial District have a political power rotation agreement. For Example, Senator Ben Bruce who was elected to the 8th Nigerian Senate in 2015 to represent Bayelsa East Senatorial District could not seek re-election into the Senate due to a prevailing zoning arrangement, he served only one tenure. This factor contributes significantly to rates of turnover that have seen several competent legislators with cognates experience loss elections to this factor of power play. On the whole, it has been argued that weak institutions like the electoral empire, the political party system, and the political elites have monetized the political process and endangered the democratic credentials of Nigeria’s body polity. More so, the Nigerian political terrain is built on the basis of political patronage and clientelist order, which makes it difficult for the quality of personality, competence, and capacity for legislators or potential legislators to subject themselves to the rigorous task of building legislative capacity, contributing to high turnover. Because citizens’ demand for more representation is anchored on the expectation of legislative interventions that district the core mandate of the legislators. Electoral process: The electoral process is a major contributor to legislative turnover in Nigeria. Elections are held every four years, and new members are elected into office. The election of new members often leads to a significant turnover rate in the legislature.

## **V. LEGISLATIVE TURNOVER AND PERFORMANCE OF THE 8TH AND 9TH NATIONAL ASSEMBLY**

The level of legislative turnover is often used to measure the performance of the legislature as an institution of government. Thus, a moderately low legislative turnover might result in an efficient and effective legislature, while a very high turnover rate might have adverse effects on the legislature as an institution. There would be a need for empirical evidence to support this position which would be the subject of the thesis of this researcher to establish in empirical terms that legislative turnover in the 8th and 9th Assembly impacted the legislative performance of the two Assemblies in what form and shape and implications for electoral systems advocacy and policy thrust for Nigeria and democracy stakeholders. IPU (2014) posits that legislative turnover can have both positive and negative impacts. High turnover provides opportunities for underrepresented groups like women, youths, physically challenged, and new politicians to enter governments. As democratically logical and exciting as this opportunity might be, scholars are also concerned that high turnover can negatively impact the legislative assertiveness and institutional capacity of the legislature. How did the 8th and 9th Nationals perform in the core areas of law-making, oversight, confirmations, appropriations, legislative assertiveness, robust deliberations, public interest, transparency and accountability, loan approvals, and other auxiliary variables of legislative duties? This will be examined under selected themes considered necessary for the performance assessments of the 8th and 9th National Assembly. It must be noted that the paper is not exhaustive but attempted at looking at critical areas of interest.

## **VI. ATTENDANCE RATES**

Section 63 of the 1999 Constitution of the Federal Republic of Nigeria (As amended) provides that the Senate and the House of Representatives shall sit for a period not less than one hundred and eighty-one days (181). The recent amendments of section 54 of the constitution provided for the quorum of the National Assembly at plenary. Prior to the 5th constitutional alteration, the quorum for each of the houses at plenary is 1/3 of the Members but with the 5th alteration, the quorum is now 2/3 of the Members or Senators. Quorum is central to the assessment of the attendance performance of Members because anything done by the national assembly without forming a quorum under the law is null and void. Applying the rule of 1/3 for the Senators will be about 36 for the Senate and 120 for the House of Representatives to form a quorum to legally and validly transact the business of the legislature. Attendance is also important to show effectiveness and variety in the quality of debate that goes into legislation. Where Members or Senators are not committed to attending plenary activities, it is a sign of a legislature that is not effective. The issue of attendance also addresses the subject of representation because National Assembly Members represent people and where laws are passed without a Senator it implies his or her constituency voices were underrepresented in that legislation. Evidence from observation of the Senate shows that it was only about an average of 61% of the 181 days that Senators attended sittings in the 8th and 9th Assembly. Although the global covid-19 pandemic was blamed for the gap, especially in the low attendance recorded in the 9th Assembly. One other factor observed was that after the constitution of the committee’s leadership, members who were not rewarded often lose interest as well after primary elections, members of the National Assembly who did not get the nomination for re-election often lose interest in attending plenaries or committee activities. Interestingly, in Nigeria’s National Assembly membership attendance and quorum are measured by the number of members who wrote their names on the attendance register and not those who are actually attending the sitting. It has been observed that members come in and write their names and go out to attend other activities without being present in the Chamber to participate fully at plenary. It must be noted that there are arguments for the fact that Members attend Committee activities and oversight functions sometimes at the same time when the plenary

proceedings are on and consider the measurement of performance by attendance not to be an effective parameter for performance assessment. However, this paper is of the view that attendance to plenary and committee functions are critical and both are important elements to measure the commitment of an Assembly to legislative business.

## **VII. BILLS PROCESS AND PASSAGE**

Section 58 of the 1999 Constitution of the Federal Republic of Nigeria provides that legislative powers of the National Assembly shall be exercised through bills passed by both Chambers of the National Assembly and assented to by the President. Thus, the quality of the process of the bill and impact of bills passed and legislative assertiveness in ensuring that bills passed in the interest of the nation receive Presidential assent. Bill productivity index is one of the indexes for measuring legislative performance. Legislative experience is also critical to ensuring the quality of bills, legislative arguments to push the bill at plenary, and the impact of the bill to the targeted sectors of the economy. The number of bills passed by the Senate is another critical factor that affects its performance. The Senate's ability to pass significant legislation is a measure of its effectiveness. According to the NILDS report and the legacy report of the 8th National Assembly, 2166 bills were introduced into the legislative mill of the National Assembly, 515 were passed, Mr. President assented to 80, and 53 of those bills received declined assent from Mr. President. Also, the 8th National Assembly was reputed to pass the 2018 Electoral Act four times and on four occasions the President declined assent. The fallout of the challenges with the proposed changes of order of elections in the proposed electoral Act led to the snatching of the Senate Mace by hoodlums, and the suspension of the former Senate Leader Ali Ndume. Also, it was in the 8th Assembly that the National Budget proposal presented by Mr. President was declared missing following the frosty leadership crisis and the invasion of the House of the Senate Appropriation Chairman, Sen. Danjuma Goje. Similarly, in the House of Representatives, the appropriation bill suffered the same faith when the then Appropriation Committee Chairman of the House, Hon. Jubril Abdulminim accused the Speaker and leader of the House budget padding which led to his suspension and court cases involving the House and the Honorable Member.

Despite this dramatic posture of the 8th and 9th National Assembly, a number of critical; legislation has been passed that if oversight is properly provided over them, will contribute significantly to the economic and political development of Nigeria, some of the significant legislation passed by the Senate includes the NotTooYoungToRun Act, 2018 which lowers the age limit for running for political office, the Petroleum Industry Governance Act, 2020. Others are the Police Act, 2020, the Company and Allied Matters (CAMA), Act 2020, the Electoral Act 2022, the Deep Offshore Contract Act, 2020, the Correctional Service Act, 2019, Finance Acts and, 5th constitutional alterations and other important pieces of legislation that defined the character of the 8th and 9th Assembly. However, the passage of these laws does not in itself engender national development or impact the economy. For instance, since the passage of the Police Act, no significant practical reform has taken place within the police management systems in Nigeria, rather what followed was a massive brutality that led to the End SARS protest that engulfed the country with casualties. Similarly, the Correctional Service Act which repealed the Prison Act has not offered any meaningful practical reform within the correctional and reformatory centers across the country. The correctional centers still witness overcrowded inmates with poor hygiene and thousands of people awaiting trials across several correctional centers in Nigeria. The poor administration of the criminal justice system also contributed significantly to these trends. The situation is not different with the Petroleum Industry Act that is being celebrated. Similarly, the Electoral Act couldn't deliver acceptable standards of credible elections in the 2023 general elections, just as the NotTooYoungToRun Act, 2018 has not guaranteed the election of young people into political offices as the national figures dwindled from 34% in the 9th Assembly to about 26% in the 2023 elections. Above analysis underscore the arguments that passage and assenting a bill into law is not necessarily as much of a challenge as providing the legislative oversight and assertiveness required to operationalize these laws to benefit the Nigerian people and deliver the legislative policy intent for the laws. The 8th and 9th Assembly didn't demonstrate expected legislative assertiveness in policy deliberations especially as regards loan approvals. As of 2015 when the 8th Assembly was inaugurated, Nigeria's debt burden stood at about N12 trillion, as in 2023 it stood at over N77 trillion. The 8th Assembly witnessed President Muhammadu Buhari expending over \$460 million dollars for the purchase of Tucano Aircrafts to combat terrorism without legislative approvals and the National Assembly could not reasonably assert itself to demand accountability. Similar to that is the over N22 trillion CBN Ways and Means expended by President Buhari which has been securitized by the National under controversial circumstances. Many public commentators and analysts attribute the inability of the 8th and 9th National Assembly to reasonably assert itself to legislate and hold the executive to account for the high rate of legislative turnover in the parliament.

## **VIII. LEGISLATIVE TURNOVER AND OVERSIGHT PERFORMANCE OF THE 8TH AND 9TH NATIONAL ASSEMBLY**

Oversight effectiveness is an important parameter in the measurements of a legislative Assembly. The paper observes that in both the 8th and particularly the 9th National Assembly, many newly elected Members

were made Chairmen of Committees. The number of Committees increased from about 65 in the 7th Assembly to 96 in the 8th Assembly and 109 in the 9th House of Representatives (Standing Orders House of Representatives 2016 and 2020). The situation is not different in the 82 and 9th Nigerian Senate. The paper acknowledges that it was the 8th Senate that investigated the grass-cutting contract involving the former Secretary to the Government of the Federation (SGF), Mr. Babachir Lawal, which led to his removal by the President. Also, in terms of the appropriation process, available reports from Hamalai, (2015) and Yiaga (2019), as well as field observations, show that the 8th circuit Assembly asserted its legislative powers in ensuring that the executive attends budget defense and appropriation bills also received seeming robust deliberations in the floor of the chambers than what obtained in the 9th Assembly where the balkanization of the committee weakened the oversight system such that some heads of executive government agencies refused to honor oversight engagements with the legislature and no legislative action was taken. However, the case of the CBN Governor who refused the invitation of the House of Representatives to explain the cashless policy of government until the Speaker threatened to issue a warrant of arrest on him was an exception to the general outlook of the institutional weakness prevalent in the National for oversight activities. Overall, the decision of the leadership of the National Assembly to balkanize and polarize the committee system responds to the arguments espoused by the elite theorists. Similarly, it has been argued that high legislative turnover affects the quality and effectiveness of the oversight role of the legislature. Overall, oversight in the 8th and 9th Assembly like other Assemblies was largely reactive, lacking the elements of pro-activeness and pragmatism needed to oversight government policies, programs, and projects. Legislative turnover can also impact the ability of legislative bodies to perform oversight functions effectively. Oversight functions are crucial for ensuring accountability and transparency in government operations. High levels of legislative turnover can disrupt the continuity of oversight functions, particularly if new lawmakers are not familiar with ongoing oversight activities (Abubakar, 2018).

## **IX. REPRESENTATION PERFORMANCE AND LEGISLATIVE TURNOVER**

Central to the function of the legislature and legislators is the notion and practice of representation. Representation involves the acts of the representatives exercising their legislative privileges to deliver good governance, formulate policies and solve the challenges of their constituents within the remit of their legislative competencies. High legislative turnover can negatively impact the quality of representation and the level of performance of legislation. The paper assesses the legislative performance of representation and legislative turnover in two ways. First, the legislature adopts the rule of ranking or seniority. Ranking in the legislature is a crucial factor for the degree of legislative privileges which gives the ranking members in a normal situation access to more resources to deliver quality constituency services. The other indicator is the continuity and sustainability of constituency projects. The high rate of legislative turnover in the 8th and 9th Assembly implies that the newly elected Members may in a normal situation have less access to some legislative resources and privileges compared to the ranking Members. Moreso, a new legislator under the ranking rule is qualified to hold a presiding officer position which empowers the ranking Members to provide greater constituency services (all things being equal) to their constituents. Also, high legislative turnover recorded in both Assemblies under study impacted the practice and sustainability of constituency projects. Unlike the executive arm of government, the legislature does not undergo a handover process to incoming legislators. This makes it difficult for the new legislators to identify ongoing projects started by the predecessors to continue and complete as well as sustain them, the implication of this gap is that billions of taxpayers' funds are wasted as a result of a lack of continuity in the representation process.

According to the Legacy Report of the 9th Senate (2023), the Nigeria Senate recorded about 951 Bills presented for consideration. Out of which 217 were passed unlike the 8th Senate that passed 248 bills. Similarly, of the 217 Bills passed by the Senate, 38% were executive bills. The 9th Senate is also reputed to have passed about 405 Motions and implemented oversight in 371 agencies of government. Interestingly, most of the legislative interventions in terms of motions and bills uncertainty and oversight activities lacked policy oversight to ensure that the laws passed are being effectively implemented. Also, of the 405 motions passed, efforts at compliance were largely the business of the legislators not the institution. Despite the cordial relationship that existed between the 9th National Assembly and the Executive branch of government, the executive rejected the several motions of the legislature including the popular motion that the service Chief at the time be removed for their inability to manage the spate of insecurity in the country. The executive ignored and refused to comply with the resolution, however, after the President relieved the individuals of their roles, their names were sent to the Senate and 9th Senate confirmed these individuals as Ambassadors of the Federal Republic of Nigeria. Although they are important moments of the 9th Senate including the rejection of the nomination of Mrs Onuchie as an INEC Federal Commissioner following public outcry of her obvious partisanship as a public Member of the APC. The notion is that the 9th National Assembly was a "rubber-stamp" which implies that the 9th National Assembly could not effectively assert itself to oversight the executive arm of government and legislative proposals especially from the executive passed through the Assembly without robust debate and scrutiny.



## **X. MEASUREMENTS OF LEGISLATIVE TURNOVER**

There are no standardized instruments for measurements of Legislative Turnover and performance. Since legislative turnovers can be defined, viewed, and/or studied in multivariate approaches in terms of disaggregate level, Assembly/aggregate levels, and the political groups levels, it implies that the measurements of legislative turn in relation to performance will corroborate with adopted levels of measurements Francios et al (2015). The scope of this paper as posited earlier focuses on legislative turnover of the Assembly in terms of the rate of the number of newly elected members as a function of the number of legislators that were not re-elected. The paper observes that one of the major political goals of every legislator across different jurisdictions and particularly in Nigeria is the sustainability of political power through re-election into the same office held or another political office. Legislators are often concerned that they will lose their seats through defeat by a candidate within the party or a candidate of an opposing party. Francois et al (2015) identify voter occasioned by a shift in political sentiments and electoral volatility as factors in the measurement of legislative turnover in an electoral cycle. For example, in Nigeria, ahead of the 2015 General Elections which will offer in the 8th National Assembly, there was a palpable shift amongst the citizens on the electoral fortunes of the PDP in favor of the All Progressives Congress (APC) which has promised change from insecurity and corruption and to end the alleged acts of impunity by the PDP that led to the defection of the G7 Governors and National Assembly Members. The electoral volatility of the 2015 general elections was also very high resulting in over 64% and 69% rates of turnover in the Nigerian Senate and House of Representatives respectively. Matland et al (2004), Ayus, (2019) and Hamalai et al (2016) studies show that a swing in voters' policy sentiments away from the ruling parties, results in high legislative turnover measured in the degree of electoral volatility. Single-country studies have consistently shown the greater the vote swing away from parties already in government or in parliament, the greater the legislative turnover. Conversely, low electoral volatility results in incumbents having greater chances of re-election. Evidence from Nigeria as shown in table 1 and 2 above show that Nigeria records higher legislative turnovers during transition periods than when incumbents are seeking re-election in 2015 where an incumbent lost re-election due to high electoral volatility and other interlocking variables. One interesting fact noted in this paper is that high legislative turnovers occurred in both the PDP following the 2015 election loss and in the APC after the 2019 General Elections. In terms of Assembly aggregate analysis of turnover in the 8th and 9th National Assembly, evidence from the paper suggests that factors of executive dominance, zoning, weak electoral institutions, monetization of politics, and swing in voters' sentiments resulted in high rates of legislative turnovers irrespective of which party that had the majority in the National Assembly. For example, the PDP had a majority in the National Assembly recording 87 (80%) Senatorial seats and 263 (73%) seats in the House of Representatives in the 7th Assembly. However, the 7th Assembly when compared to the 6th Assembly recorded 67% in the Senate Seats and 72% in the House of Representatives despite PDP being the majority party in both the 6th and 7th Assembly. Similarly, in the 8th Assembly, the APC won the majority seats in the National Assembly with 60(55%) of the Senate seats and 225 (62%) of the seats in the House of Representatives. In the 2019 General Elections, which ushered in the 9th National Assembly on 11th June 2019, the APC maintained the dominance of the two chambers of the National Assembly with 63(58%) of the Senate Seats and 211(59%) of the House of Representatives seats. However, legislative turnover in the 9th Assembly when compared to the 8th Assembly and the same ruling party having majority seats in both the 8th and 9th was 59% in the Senate and 57% in the House of Representatives. Impliedly, therefore, legislative turnover in the Nigeria National Assembly responds to the exogenous variables highlighted rather than due to voters' choices through democratic elections since rates of turnover increased through intra-party elections than through the ballots at the general elections.

## **XI. CHALLENGES**

Legislative turnover poses several challenges to the institutional capacity and effectiveness of the National Assembly and National economic and political development. Some of these challenges identified by Abubakar (2023), Lawan (2023), Hamalai, 2016 and Matland et al (2004) include:

### **Lack of continuity**

High turnover rates disrupt the continuity of legislative business, leading to delays in the passage of bills and the performance of oversight activities. High turnover ushers in new members who may become committee chairmen through political considerations and are unable to continue previous important bills and oversight activities initiated by the previous assembly;

### **Creation of a resource gap**

Legislative turnover leads to inefficient use of resources, as new members often require additional training and orientation to perform their legislative duties effectively. IPU (2014) reports that new members need at least an average of one tenure to begin to master the acts of legislative business. Engendering of Institutional

Weakness: Legislative turnover strains the resource competence of the National Assembly in the robust law-making process, oversight, institutional memory, and representation.

#### **Impacts on the democratic quality of the state**

High turnover rates often lead to potential political instability, as the executive sometimes capitalizes on the low experience of the legislators to undermine their powers. With the legislature as the bastion and symbol of democracy in a state, its weakness and inefficiency inhibit the speed of democratization and democracy consolidation. Overall, high legislative turnover negatively impacts on quality of legislative scrutiny, quality of legislative debates for policy formulation, and executive approvals.

## **XII. CONCLUSION AND RECOMMENDATIONS**

The impact of legislative turnover on the performance of the Nigerian National Assembly, national development, and democracy consolidation is enormous, there are arguments for and against both low and high turnovers. This paper did not focus on efforts to reconcile the classical debates over the democratic rights of citizens and the dangers of high legislative turnover. This paper, however, observed that high legislative turnover in the National Assembly of Nigeria is not the direct product of voters' exercise of their democratic rights to punish or reward legislators who have performed well or otherwise due to other democracy's dilapidating variables elaborately highlighted in the discourse. High Legislative turnover affects institutional memory and capacity, legislative assertiveness and the continuity of legislative business, attendance rates, and oversight functions. Overall, the Nigerian National Assembly plays a critical role in the country's democracy and governance, and its effectiveness is vital to the well-being of the Nigerian people. By adopting measures to address the negative effects of high legislative turnover, the following recommendations are made;

## **XIII. RECOMMENDATIONS**

There is a need for the promotion of professionally managed political parties that guarantee the principle of internal democracy that will produce credible people with the passion to undertake the rigor involved in legislative work;

Massive reorientation of the people by the National Assembly in collaboration with other arms of government and the National Institute for Legislative and Democratic Studies (NILDS) to educate constituents on the core constitutional mandate of the legislature and benchmarking tools for assessing legislators; Improvement of the electoral process to reduce the degree of electoral violence and volatility, executive interference, and dominance in the recruitment process for legislators; It is further recommended that the National Assembly should alter the provisions of the constitution to introduce mid-term elections for the legislature to end the regime of declaring the entire seats in the National Assembly vacant and up for elections every four years,

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