

**MEMBERSHIP TURNOVER AND LEGISLATIVE PERFORMANCE IN NIGERIA: A STUDY OF
KOGI AND OSUN STATES, 1999-2015**

BY

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**BEING A THESIS SUBMITTED TO THE DEPARTMENT OF POLITICS AND GOVERNANCE,
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AWARD OF THE DEGREE OF DOCTOR OF PHILOSOPHY (Ph.D.) IN POLITICAL SCIENCE**

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DECLARATION

I hereby declare that this doctoral thesis, ‘Membership Turnover and Legislative Performance in Nigeria: A Study of Kogi and Osun States, 1999-2015’ submitted to the Department of Politics and Governance, Faculty of Humanities, Management and Social Sciences, Kwara State University, Malete, Nigeria, was carried out by me, under the supervision of Professor AbdulRauf Ambali and Dr. Kareem Adeyimika Adedokun, of Kwara State University, Malete, Nigeria.

I also solemnly declare that no part of this report has been submitted here or elsewhere in a previous application for the award of any degree. All sources of knowledge used have been duly acknowledged.

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CERTIFICATION

It is hereby certified that this work was carried out by Asimiyu Olalekan MURANA (Matriculation Number: 14/27/PPS004), of the Department of Politics and Governance, Faculty of Humanities, Management & Social Sciences, Kwara State University, Malete, Nigeria, under the supervision of Professor AbdulRauf Ambali and Dr. Kareem Adeyimika Adedokun, of Kwara State University, Malete, Nigeria. .

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APPROVAL PAGE

This doctoral thesis has been read and approved as meeting the requirements of the Department of Politics and Governance and Postgraduate School, Kwara State University, Malete, Nigeria, for the award of Doctor of Philosophy (Ph.D.) degree in Political Science.

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DEDICATION

This thesis is dedicated to Almighty Allah, the author of life who in His infinite mercy has made my aspiration a reality. The thesis is also dedicated to my loving wife and children – Mrs. MURANA, Basirat Titilayo, IMRAN, Awwal Oyelami, IMRAN, Aisha Oyenike, IMRAN, Faridah Oyewumi, and IMRAN, Umar Oyeleke for their patience and perseverance throughout the course of this programme.

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ABSTRACT

The need to examine the problem of high legislative turnover that has become a recurring feature of national and state parliaments in Nigeria necessitates this study. For instance, the 2014 National Institute of Legislative Studies' (NILS) Report indicates that Nigeria's National Parliament has the highest turnover rate of legislators (70 per cent) in the world. The scenario is even worse in State Assemblies where more than 80 per cent of members are greenhorns at the beginning of every legislative session. To know the implications of high membership turnover on legislative performance in Nigeria's parliament, this study examines membership turnover and legislative performance in two of Nigerian States, Kogi and Osun between 1999 and 2015. The objectives of the study are to i) assess the rate of membership turnover in Kogi and Osun State Assemblies; ii) investigate the causes of high membership turnover in Kogi and Osun State Assemblies; iii) examine the effects of high membership turnover on law-making, oversight and constituency services in Kogi and Osun States; and iv) compare the findings in Kogi and Osun State. The study employs a combination of quantitative and qualitative methods, while data are gathered from primary and secondary sources. Interviews are conducted with past and present legislators, legislative staff and other key players in legislative activities from Kogi and Osun State assemblies. Secondary data are generated from official records of Kogi and Osun State Assemblies, National Assembly, NILS, textbooks, journals, internet materials etc. Content analysis and descriptive statistics are used to analyze data. The study employs a combination of three theories- elite, system, and structural functionalism for its analysis. Findings reveal that turnover rates in Kogi and Osun State assemblies stand above the highest 'normal' limit of 40 per cent (88 per cent and 85.6 per cent, respectively). The causes of high turnover rates of members in Kogi and Osun States are attributed to: politics of zoning and power sharing; lucrative nature of politics; electoral defeat; electoral malpractices; legislators' performances; godfatherism, and party politics. The study also reveals the negative effects of high turnover rates of members on law-making, oversight and constituency services in Kogi and Osun States. A comparison of findings in Kogi and Osun show that the high turnover rate affects Kogi State Assembly more than Osun State Assembly on law-making function. Besides, the study discovers that the challenges of Kogi and Osun State legislatures go beyond the issue of high turnover rates of members. Other challenges faced by the legislatures of the two states are identified in the study. The study recommends a systematic training and re-training programmes on capacity building of fresh lawmakers; financial autonomy; functional State Assembly Service Commission; and adequate infrastructural facilities, among others. To reduce the rate at which politicians rush for legislative seats and to bring down turnover rate of legislators, downward review of legislators' salary is considered necessary. The electoral system should permit independent candidates to contest elections; the study also recommends a paradigm shift from politics of zoning to that of performance.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

The legislature takes a central position in the institutions of democratic governance. This is because it is an organ of government that articulates and expresses the collective will of the people. It is seen and known to be the heartbeat of democracy. Its functions are defined in terms of law-making, representation, oversight and constituency-related responsibilities, all of which are pivotal to the good health of democracy (Omotola, 2014). The legislature ensures that the government is carried on according to the wishes of the people. In addition, it serves as an arena for reconciling differences of opinions about policy within the state. Its oversight and representational duties are critical to sustainable development which is considered as one of the ends of democracy. Thus, while it is conceivable to have a government without the legislature, there can never be a democracy without the legislature. As Mohammad (2007) rightly averred, the existence of an independent legislative institution composed of representatives of the people is a distinctive hallmark of democratic government. It distinguishes a democratic government from an autocratic government, as both systems have the executive and judicial arms. Lafenwa (2006) gave credence to this when he argued that the legislature is the engine of democracy because laws made by it sets the agenda for government and regulates the conduct of the people. Ornstein (1992) also underscores the democratic significance of the legislature, noting that no country can have a workable democracy with voices of opposition, accountable government, and adequate avenues for the citizen to be heard without a vibrant and meaningful legislature and legislative process. This is in line with Omotola's position (2014) that the stability and

consolidation of any democracy, be it developed or developing, old or young, has been largely linked to the strength of its legislature. To this end, it is settled in the extant literature that the legislature has important duties to perform in a democracy.

However, performing these duties is not a given (i.e the mere existence of a legislative arm does not automatically guarantee the effective performance of its functions). A legislature must fulfill certain institutional conditions to be able to measure up to expectations, especially the institutional capacity, measured by the constitutionally-prescribed roles or formal powers, autonomy cum educational and professional training/competencies of both the legislators and support staff, among others (Omotola, 2014).

Besides, legislators must possess the requisite experience to effectively discharge their constitutional duties. Perhaps, this informs the decision of the drafters of the Nigerian Constitution not to limit the number of times a performing legislator could be re-elected. Thus, the electorates have the constitutional right and privilege to elect or re-elect a legislator. This brings up the issue of membership turnover and its implications on the performance of both national and state legislatures in Nigeria which is the main thrust of this research.

The legislature differs in composition from one system of government to another as well as in their mode of representation. For instance, in a parliamentary system, members of the legislature are fused with members of the executive while in the presidential system, the legislature and executive are separated from other arms of government not only by the person but also by their modus operandi to promote democratic governance. In spite of these differences in legislatures across the world, they have a common structural character that distinguishes them from other arms of government in a democracy. The common feature of legislators is that

relations between members are not based on authority and subordination but on the equality of members since they derive their authorities from being representatives of the people (Ewuim, Nnamani, & Eberinwa 2014). The legislature may exercise different functions from time to time depending on the political system. Two cardinal functions of legislatures in democratic settings are lawmaking and acting as the watchdog on behalf of the people, without which democracy becomes a failure. Odinga (1994: 119) noted that:

If the constitution is the embodiment of the aspirations, ideals and collective will of the people, the parliament is the collective defender and watchdog of the aspiration, ideals and collective will of the people. If the constitution is the social contract between the people and government, the parliament is the advocate for the people and the arbiter of the national interest. Indeed, if the constitution is like the Bible, Quran and other religious treatises, the covenant between the people and their leaders, the parliament is the repository and protector of the oracles of the political covenant and social contract between the people and government.

Consequently, for any democracy to grow, the legislature does not only make laws for the peace, order and good governance of the state but also ensures that such laws and orders are not violated by other arms of government like the executive and judiciary.

The development of the legislature is not a unique historical event as such, as the need to engage in deliberations is inherent in man because of his social nature. If we view the earliest societies as collectivities of thinking and mutually interdependent people, it will not be difficult to imagine that they occasionally deliberated on how to find solutions to common problems. In this view, the modern legislature is better seen as the institutionalisation of a practice that goes back to the beginning of human communities. In the small food gathering or hunting bands of ancient times, members met to deliberate informally and every adult member represented himself. Even when the formal political organization had developed, this practice of direct government by all people continued and this was consummated in the Athenian democratic polity in which free adult participated directly in legislative activities. This model, (direct

government) gave way, in many societies, to various forms of authoritarian rule, the most common of which was a monarchy, under which a king, advised by an aristocracy whose suggestions he could accept or reject, monopolized legislative powers. Law, in such societies, was the king's law. This system of government can still be observed in the local community in Nigeria where the traditional rulers, advised by their chiefs and elders, still constitute the chief "lawgivers" of their communities. Except for a few countries such as Swaziland, Morocco, Saudi Arabia and Jordan, the monarchical government has been superseded all over the world by republican government and the legislative and non-legislative functions have passed to formal legislatures. In fact, absolute monarchies such as those of the kingdoms of Swaziland, Morocco, and Jordan as well as the Emirate of Kuwait, have found it expedient to establish legislative bodies of some sorts (Ayeni-Akeke, 2008).

In light of the above, the Nigerian legislature that started as a deliberative organ of the colonial government has developed to become a full-fledged institution for lawmaking, representation and oversight activities. Paradoxically, the emerging legislature has remained junior partners to the executive in the politics and government of Nigeria after independence. The authoritarian legacy of colonialism, as well as military incursion into Nigerian politics, destroyed the power balance of the organs of government (Schraeder, 2000). Despite the powers, functions and privileges provided for the legislature in most Nigerian constitutions after independence, the challenges of governance faced in post-independence Nigeria which either put the legislature in abeyance or subjected it to manipulations and control of the patrimonial executive rulers, further reinforced the weaknesses of Nigeria's legislative institutions (Saliu & Muhammad, 2010). For almost three decades under different military regimes, the National Assembly, as well as State Houses of Assembly, suffered various forms of subjugation and

proscription. Each time the democratic government came under military assault, the legislature was abrogated, and its powers merged with that of the executive military rulers who wielded both the legislative and executive (and a time, judicial) powers by way of promulgating Military Decrees and ruling through a supreme military governing organ. In such a situation, the legislatures as a representative institution could not but be seriously weakened.

Due to the indispensability of the legislature in a democracy, it has been under critical examination by scholars of all persuasions. Recent and more prominent critiques of legislative institutions have concentrated on two main issues namely, a decline in declining in legislative constitutional and democratic roles and low productivity in terms of the number and quality of public laws enacted. In fact, most legislative studies, which focus on the national or central legislative bodies, have found that its role is declining. Some empirical studies demonstrate that in many new democracies, legislatures cede their lawmaking functions to chief executives by routinely approving all executive initiatives or, equivalently, acceding to lawmaking by executive decrees. Such legislatures were affirmed to frequently fail to provide oversight of executive branch actions, thus granting executives less formal means of making and re-making law (Lafenwa, 2006).

Shively (1997) and Lafenwa (2006) expressly pointed to the fact that with regards to the passage of legislation, most parliaments are “rubber stamp” Edward & Beataam (1993) also suggest " the legislative branch has lost its claim even to the representative role which is now shared with administration and the bureaucracy. Besides, public opinion in most countries generally takes a dim view of the work of legislative assemblies. For instance:

Judging from public opinion and press, the American people do not hold Congress in high regard. Opinion polls have rather consistently ranked the

Congress near the bottom of those institutions inspiring public trust "(Edward & Beataam, 1993: 510).

Irrespective of these assessments, the legislature organ has continued to perform its constitutional roles everywhere (Bello-Imam, 2004). This development might have perhaps informed Avril's views that transformations undergone by Western parliaments constitute a realignment, an adaptation to the new political and social conditions that obtain in the western democracies as a whole. Though it is true that most of the laws that parliaments pass have been prepared by the executive, the parliament still possesses other means of influencing them. For example, they can introduce amendments to them, apply pressure through majority party or its coalition on the bill, and mobilize public opinion against any distasteful bill among other measures open to parliaments even though their real power to control the executive in its traditional manner has apparently declined in both young and old democracies.

It is against this background that this research seeks to investigate the causes and effects of membership turnover on legislative performance in Nigeria's democratic government with emphasis on state legislatures since 1999 when the country returned to democratic rule. In this study, Kogi and Osun State Houses of Assembly will be taken as units of analysis.

1.2 Statement of the Problem

The need to examine the problem of high legislative turnover that has become a recurring feature of national and state parliaments in Nigeria necessitates this study. For instance, the 2014 National Institute of Legislative Studies' (NILS) Report indicates that the United States has the

highest retention rate in the world with almost 100 percent probability that a senator or member of the House of Representatives would be re-nominated by his party to re-contest elections. The report adds that there is a 90 percent probability that he or she would be re-elected. The turnover rate in US House of Representatives averaged 10 percent since 1964 while the turnover rate for Senate averaged 15 percent in the last five decades. The same report indicates that Nigeria's National Parliament has the highest turnover rate of legislators (70 percent) in the world. This scenario is even worse in Nigerian state assemblies specifically, Kogi and Osun State Assemblies where more than 80 percent of legislative members are greenhorns at the beginning of every legislative session (Policy Analysis and Research Project (PARP), 2007). Thus, to know the implication of high membership turnover rates on legislative performance in Nigerian parliaments, this study examines membership turnover and legislative performance in two of Nigerian States, Kogi and Osun between 1999 and 2015.

Generally, studies on legislative turnover are mainly confined to the United States (Norris, 1993), except for a handful of advanced industrial democracies. Recently, there is increasing attention to the systematic study of legislatures by Nigerian political scientists. Most, if not all their researches focus on issues such as legislative-executive relations; legislative oversight; legislative corruption; and party switching among others. There is little or no attention to the problem of high membership turnover currently facing Nigerian parliaments. The present study is urgently needed to address the problem and also fill the gap left by the previous works on legislative studies.

1.3 Research Questions

This study attempts to answer the following research questions:

- i. What is the turnover rate of members in Kogi and Osun State legislative assemblies?
- ii. What are the causes of high membership turnover in Kogi and Osun state legislative assemblies?
- iii. Does high turnover rates of members have any effect on law-making, oversight and representation/constituency services in Kogi and Osun State legislative assemblies Assemblies?
- iv. Are there any differences in the effects of membership turnover on legislative performance between the Kogi and Osun State legislative assemblies?

1.4 Objectives of the Study

The general objective of this study is to investigate membership turnover and performance in Nigerian legislative Assemblies with a particular focus on Kogi and Osun State Houses of Assembly. Other specific objectives are to:

- i. examine the rate of membership turnover in Kogi and Osun State legislative assemblies;
- ii. investigate and analyze the causes of high membership turnover in Kogi and Osun State Assemblies;

- iii. examine the effects of high membership turnover rates on law-making, oversight functions and representation/constituency services in Kogi and Osun State Assemblies; and
- iv. comparatively, examine the effects of membership turnover on legislative performance in Kogi and Osun States.

1.5 Significance of the study

This study is justified on the ground that there is little or no attention on the problem of high membership turnover currently facing Nigerian parliaments. Until recently, the legislative study has been relegated to the background by Nigerian political scientists. Where efforts have been made to study the legislature, attention has often been focused on legislative-executive relations; legislative oversight; legislative corruption; party switching and the constitutional roles of legislatures. Besides, most of the previous studies on the legislature concentrated on the National assembly (see, for examples, Richard and Eme, 2015; Olugbenga & Akinboye, 2014 Nwanole, 2012). References to legislative institutions in the states are often made in passing by scholars, perhaps due to the consideration that federal of. are more important than state institutions. It is the urge to correct this impression and to fill the information vacuum created by the absence of a comprehensive study directed at examining the legislative institution in the states, most especially on high membership turnover rates motivated this study.

Furthermore, the imperative of studying the political institutions in the states is derived from the fact that states are component units of Nigeria's federal arrangement, possessing similar political institutions like those operating at the central level. This is in line with the issues of interest identified by Desposato (2004) that accounts for the desirability of sustained emphasis on sub-national governments. These include the fact that policies implemented and decisions

made by sub-national governments have important and direct effects on the quality of life of citizens. Sub-national governments frequently control and set the agenda for the distributions of government programmes, projects, and services. They are a reflection of the formal governmental institutions and the patterns of politics at the national level. States governments are all mini-presidential systems, with governors, unicameral legislatures, and states judiciaries particularly in federal systems like Nigeria. Moreover, sub-national governments provide a nearly ideal environment for testing the impact and highlighting the significance of formal and non-formal institutions and practices. States, therefore, become "mini-laboratories" for observing and explaining how the same institutions work in different contexts. Through a sustained emphasis on state legislatures, inferences can be drawn from states' experiences on how best to improve the legislature's overall performance at the national level.

Besides, the import of understanding the membership turnover and its effects on legislative performance of legislatures can hardly be overstated. Considering the increasing responsibilities and concerns of modern government, to come up with any workable reform agenda that will help them to cope with the number and range of decisions that must be made, it is imperative to carry out this kind of study on state assemblies.

Due perhaps to the inconsistency of Nigerian legislative institutions as a result of past military interregnums, Nigerian political scientists paid little or no attention to them in the past. As a result, there is yet to be established a specialized sub-discipline of Political Science focusing on Legislative Management, as we have Public Administration studying mainly the executive, bureaucracy and to some extent the judiciary. Furthermore, most of the research foci of various law faculties and the Nigerian Law Schools are on the judiciary. Thus, they are continually engaged in expanding knowledge of this branch of government (Lafenwa, 2006).

More so, findings in the literature reviews that show the continuous loss of legislative power to the executive also deserve the attention of scholars in order to save this veritable hub of democratic governance from losing its relevance in the game of power.

The research outcome will be of policy relevance to Kogi and Osun State Assemblies in particular and Nigerian legislatures in general. Finally, the study will add to the available literature on legislative studies in Nigeria and it will also serve as a springboard for further research in the area of legislative performance, assessment, and turnover.

1.6 Scope of the Study

In order to adequately address the stated problems, the scope of this study is limited to Kogi and Osun State legislative assemblies from 1999 - 2015. This was an important period in democratic governance in Nigeria's Fourth Republic. This is because it was the first time in the political history of Nigeria that the country enjoyed uninterrupted National and State Assemblies tenures since the country's independence in 1960. The study will focus on membership turnover and performance in Kogi and Osun State Assemblies through the examination of the rates, causes and effects of membership turnover on the legislative performance of Kogi and Osun State assemblies within the period covered in the study (1999 – 2015). This period also allows for a flow in the investigation of any effects and implications that membership turnover could have on the Kogi and Osun State Assemblies.

It is considered unrealistic to attempt to cover all the State assemblies in Nigeria under this research. Thus, this explains the selection of one state each from two distinct geopolitical zones of the country. Kogi State House of Assembly was chosen from North Central geopolitical zone as it has the highest membership turnover rate from the zone. Osun state was also chosen from

southwestern geo-political zone because it has the second highest membership turnover rate closely followed by the Ekiti State House of Assembly that has the highest membership turnover rate in the zone. These two state assemblies (Kogi and Osun) were chosen because of their comparable features. For example, Kogi and the Osun States were created on August 27, 1991; both States had their first assemblies in 1992 – 1993 during the aborted Third Republic. Kogi and Osun State assemblies were equally controlled by the opposition parties in 1999 – 2003, All Peoples Party (APP) and Alliance for Democracy (AD) respectively. In 2003 - 2007, both states were controlled by the ruling party, People Democratic Party (PDP). In 2007 – 2011, Kogi State was controlled by the ruling party, People Democratic Party (PDP). Osun state was also controlled by the ruling party, People Democratic Party (PDP) from 2007 – 2010, before the State was taken over by the opposition party, Action Congress of Nigeria (ACN) when the gubernatorial election that brought former governor of Osun State, Prince Olagunsoye Oyinlola of People Democratic Party (PDP) into power in 2007 was nullified in 2010. Currently, Kogi and Osun States Assemblies are controlled by the ruling party, All Peoples Congress (APC). All these comparable indices made the two states suitable for this study. The time scope of this research is sixteen years.

1.7 Operational Definition of Concepts

The idea of operational definition stems from the need to enhance simplification, manageability, and understanding of complex scientific concepts. This is to bridge the gap between the abstract theoretical world and the complex empirical world (Obasi, 1999). Conceptual clarification is a necessity to understand some terms as used in this study. In the same manner, Osumah and Ikelegbe (2009) asserted that the essence of conceptualization is to

give operational definitions to some important terms used in the research. The primary requirement of any debate is to understand first and foremost the actual thing being discussed. Thus, operational definition gives specific and concrete meaning to concepts which would have appeared abstract and ambiguous. Therefore, clarifying some concepts used in this study will help to remove ambiguity in our investigation. In this regard, the following terms are defined:

Ranking Members: Ranking members are the experienced legislators that have spent more than one legislative term in the assembly.

Non-Ranking Members: These are the greenhorn legislators or newly elected members of the House who have not served in any assembly before. They are regarded as first timer legislators or inexperience legislators.

State Assembly: The state assembly, as used in this study, means the legislative body of a particular state in a country that is operating a federal system of government.

National Assembly: The national assembly as used in this study refers to Nigerian federal or national parliament.

Membership/ Legislative Turnover: Membership/ legislative turnover are used interchangeably in this research and it means the proportion of new members out of the total membership in a legislative assembly at the beginning of every legislative session.

Oversight: Oversight refers to the legislative function of supervising the activities of government ministries, departments, and agencies.

Legislature, Parliament or Assembly: These three concepts are used interchangeably in this study and it refers to a branch of government, a deliberative assembly of persons, usually elective, with the power to pass, amend, and repeal laws for a state.

1.8 Organization of Work

This study is organized into eight chapters. Chapter One introduces the study and gives a background to the study. It reveals the research problem, the research questions, and objectives of the study. The scope of the study and conceptual clarifications are also accommodated in this chapter.

Chapter Two covers the literature review. It explores the previous and existing works on legislative turnover. It identifies the gap in the previous literature and the likely contribution of the present study.

Chapter Three of the study examines the development of legislative institution in Nigeria. It also reveals the structure and composition of National and State Assemblies as well as their constitutional power.

Chapter four of this study presents the methodology adopted for the study. This chapter was broadly divided into four sections. The first section explains the purpose and nature of the study. It introduces the research design, the sources of data, sample and sampling technique, the instrument for data collection. The second section discusses the data collection procedures and ethical considerations. The procedures for data gathering and method of data analysis are presented in the third section. The final section discusses the strength and limitations of the methodology and this chapter are concluded by a discussion on reliability and validity of the method.

Chapter Five is one of the empirical chapters of the study that examines the turnover rate and legislative performance in Kogi State. This chapter reveals the rate of membership turnover

and its effects on legislative performance in Kogi State as well as the causes of high membership turnover rates in Kogi State.

Chapter six examines turnover rates and legislative performance in Osun State. This chapter reveals the rate of membership turnover and its effects on legislative performance in Osun State as well as causes of high membership turnover in Osun.

Chapter Seven presents a juxtaposition of the various findings in the preceding two chapters (five and six).

Chapter Eight covers the summary, findings, recommendations, limitation observed, and suggestions for further studies.

CHAPTER TWO

REVIEW OF LITERATURE AND THEORETICAL FRAMEWORK

2.1 Introduction

Scholars have done series of research on legislative studies in different democracies (see, for example, Polsby, 1968; Bello-Imam, 2004; Barkan, 2005; Lafenwa, 2006; Fasagba, 2009; Ojo and Omotola, 2014). It is imperative to review some, if not all, that are relevant to this study for observations, opinions, comments, ideas, and knowledge that will shed light on the issues under discussion. The essence of this is to situate the ongoing study in a proper context and to create a bond between previous studies and this research as well as identifying the gap in knowledge in order to intervene appropriately by providing the missing link, updating and contributing to the existing body of knowledge on legislative studies.

Scholars of legislative studies perceive the legislature as the most important organ of democratic government that should be adequately investigated because of the intrinsic connection between legislative stability and democratic survival. While the advanced democracies of the world seem to be the most attractive to scholars of political institutions, the legislatures of emerging democracies have received comparatively scant attention (Ogundiya & Baba 2014). Therefore, as a result of lack of academic investigation into the legislative institution of emerging democracies, studies on the legislature of advanced democracies pave way for serious theoretical and conceptual investigation of the legislatures in the new democracies, particularly African legislatures (Barkan, 2005; Burnell, 2003). Hence, the study adopts a thematic approach in reviewing the literature on the legislature, democratic governance,

functions of the legislature, legislative performance, legislative turnover, and other issues that are relevant to membership turnover and legislative performance in Nigerian state assemblies.

2.2 Legislature

The term 'legislature' has been given different names across nations of the world. It is referred to as the 'parliament' in Britain, 'National Assembly' in Nigeria, 'Congress' in the United States of America, 'Diet' in Japan, 'Bundestag' in Germany and 'Duma' in Russia. Legislatures are, generally speaking, elective and accountable bodies. Their members are elected as legislators and they can be replaced at regular intervals if their constituents dislike what they or their political party are doing in the legislature. Carey (2006) conceptualized the legislature as a body with a large membership that offers the possibility both to represent more accurately the range of diversity in the polity and to foster closer connections between representatives and voters. Lafenwa (2009) defined the legislature as an official body, usually elected, with the power to make, change, and repeal laws; as well as powers to represent the constituent units and control government. Awotokun (1998) conceptualized the legislature from a functional perspective. He defined it as the organ of government made up of elected representatives or a constitutionally constituted assembly of people whose duties among other things are to make laws, control executive activities and safeguard the interest of the people. Following this functional definition, Anyaegbunam (2000) defined the legislature as having the role of making, revising, amending and repealing laws for the advancement and well being of the citizenry that it represents. Okoosi- Simbine (2010) perceived the legislature as the law-making, deliberative and policy influencing body working for the furtherance of the democratic political system. She described the legislature as the 'First Estate of the Realm', the realm of representation and the

site of sovereignty, the only expression of the will of the people. It follows from this analysis that the authority of the legislature is derived from the people and should be exercised according to the will of the people who they represent. This was Bogdanor's position (1991) when he affirmed that the authority of the legislature as a political institution is derived from a claim that the members are representative of the political community, and decisions are collectively made according to complex procedures. In the same way, Oni (2013) argued that the legislature is the primary mechanism of popular sovereignty that provides for the representation in governance, of the diverse interests in a multicultural and subnational society. Perhaps, it is in the light of this that Smith (1980) defined the legislature as the symbol of power and legitimacy because its decision is based on the collective wisdom of men and women who enjoy the confidence of the electorate. Jewell (1997) on the other hand, identified legislation and representation as the features that distinguish the legislature from other branches of government. According to him, the legislature possesses formal authority to make laws, and members are normally elected to represent various elements in the population. It is the acknowledgment of the representative role of the legislature that Carey (2006) argued that plural societies warrant representation of broad diversity within the legislature. Loewenberg (1995) and Okoosi-Simbine, (2010) contended in favour of this important notion of the legislature as the people's representative when they viewed the legislature as assemblies of elected representatives from geographically defined constituencies, with lawmaking functions in the governmental process of a country. Thus, Davies (2004) averred that representative liberal democracy cannot exist without a healthy, lively and credible legislature. He noted that the establishment of the legislature rests on the assumption that in the final analysis, political power still resides in the people and that the people can if they choose, delegate the exercise of their sovereignty to elected representatives.

The legislature is, however, widely assumed in the extant literature to be of two main designs and this could be found in the works of Lafenwa (2006), Heywood (2002), Anifowose (2008), Fashagba (2009), Okoosi-Simbine (2010) and Oni (2013). Some legislatures have two chambers popularly referred to as bicameral legislatures while some others have single chamber commonly known as a unicameral legislature. Yugoslavia has, however, experimented with a five-chamber assembly, and from 1984 to 1994 South Africa had a three-chamber assembly (Heywood, 2002).

In a bicameral legislature, two legislative chambers exist in a country most especially in the federal political structures, such as those found in Nigeria, the United States, the Soviet Union, Canada, Australia and Switzerland to protect the interests minority groups. Some systems, such as Great Britain, the Third Republic in France and the former Nigerian House of Chiefs in the 1960s, adopt bicameralism to enable the upper house check against the hasty legislation. In a similar argument, Edosa and Azelama (1995) averred that the bicameral type of legislative structure is more common with federal states stemming from the imperative of one house to protect the special interests of minority or regional groups in such states. They noted that some federal states such as Nigeria, United States, Switzerland, Canada, Germany, and Australia have opted for bicameralism on this basis. According to them, however, some countries such as Britain, a second chamber exists to play a somewhat conservative role or to serve as a check on radical legislation of the lower house. The British House of Lords, according to them, has usually been disposed to delaying, moderating or out-rightly preventing fierce legislations of the lower house (the House of Commons). A similar situation was found in the defunct post-independence Nigerian House of Chiefs at the regions. France second chamber was made up of members who were elderly and were, therefore, expected to be conservative and also moderate the activities of the lower chamber (Oni, 2013).

Ghana and New Zealand adopted a bicameral legislature after attainment of independence. In France, a bicameral legislature was not adopted until the third republic. France's second republic constitution (1848-1952) provided for a unicameral legislative structure till 1952 when the republic was overthrown. The Supreme Soviet of the former USSR comprised of the Soviet of the Union and the Soviet of Nationalities. The power of this legislative body was unrestricted including amending the constitution. China, Yugoslavia, Czechoslovakia and other communist countries, however, have a different bicameral legislative arrangement in that legislature in these countries are closely linked with the state party. The two chambers though are supposed to act as checks on the other such checks are minimal because major debates on policy demands are done with the party rather than the legislature (Edosa & Azelama, 1995). In countries where bicameralism operates, however, the constitutions ensure that one chamber provides the opportunity for equal representation of the federating units while the diverse interests are represented in the other chamber. In addition, the bicameral legislature makes it difficult for the legislature to be controlled by a despot or demagogue (Abonyi, 2006). It also provides an opportunity for wider representation of various interests groups in the country. Furthermore, the arrangement serves as a check against hasty passage of the law and gives an opportunity for division of labour between the two houses (Heywood, 2007; Okoosi-Simbine, 2010).

The other type of legislative structure is the single chamber legislature popularly referred to as unicameral. Edosa & Azelama (1995) and Abonyi (2006) noted that this type of legislative structure exists when there is only one legislative body in a country. This practice, according to them is less common than the bicameral legislative structure. China operates unicameralism; Israel established a single-chamber legislature (the Knesset) in 1948; the Second Republic Constitution of France had a unicameral legislative arrangement which lasted between 1848 and

1952. Similarly, Nigeria had a unicameral legislature at the federal level up to the 1954 Lyttleton Constitution and changed to bicameralism at independence. New Zealand and Ghana also had unicameral legislature before independence. A two-chamber legislature was abolished in Denmark in 1954 and Sweden in 1970 (Edosa & Azelama, 1995; Heywood, 2007). For these countries, the choice of a single-chamber legislature was predicated on the fact that unicameralism is more streamlined and more effective especially in terms of responding to the needs of small and relatively cohesive and homogenous political societies (Abonyi, 2006). In addition, its structure is simple and less expensive to run and avoids delay in lawmaking (Heywood, 2007; Okoosi-Simbine, 2010).

Edosa and Azelama (1995) and Okoosi-Simbine (2010), in another dimension, view the legislatures as differing considerably in size, composition, operation, role, the tenure of office and internal rules from one democracy to the other. Nwabuzor and Muller (1985) opined that such factors as the role of the presiding officer, the establishment of the order of business, legislation process, number and power of legislative committee, the degree of intra-party discipline expected and manner of terminating debate on questions under consideration account for the differences among countries. They noted that while the size of the legislature in Iceland, New Zealand, and some African countries are relatively small, the legislative body of the defunct Soviet Republic – Supreme Soviet, comprised of about 1,500 members. With respect to the term of office, the lower house of the legislature in Britain, Canada, France, India, Italy, Ireland and South Africa operates a 5- year tenure of office while in the United States of America, members of the legislature are elected every two years. In Britain, on the contrary, members of the upper household office for life and may even be succeeded by their heirs. Nwabuzor and Muller (1985), however, noted that countries which operate short-term tenure for their legislature do so

because of the need for the representatives concerned to reflect better the ever-changing currents of public preference regarding government policy. They argue that the long-term tenure is, however, to ensure the stability of national interests which do not have to be bent to constantly changing public opinion.

2.3 Democratic Governance

A review of the literature on democratic governance is attempted in this study, because of the centrality of the legislative institution to democratic governance. Blondel (1973) cited in Oni (2014 p. 118) noted that democracy cannot exist in any country without a healthy and lively legislature. Supporting this assertion, Heinemem (1996) argued that legislative activity is important to the advancement of democracy. Similarly, Bogaards (2007) and Poteete (2010) contended that the strength, composition and the state of the legislature is one of the strongest measures and predictors of a country's democratic development and survival while National Democratic Institute {NDI} (2006) viewed democracy as dependent on the legislature. Thus, as posited by Oni (2013), the legislature occupies a fundamental place in democratic governance and performing crucial role of citizens' representation for the advancement and well-being of the citizenry.

In the same vein, Edosa and Azelama (1995) noted that the nature of the legislature that is adopted determines whether a given political system is democratic or not. This is because while democracy has been defined in many different ways depending on the influence of many factors including culture, tradition, ideology, and politics, what is much less crucial is that citizens would like to have at least some meaningful say in how they are represented by their governments (Janzekovic, 2010). That is why Appadorai (1975) defined democracy as a system

of government under which the people exercise the power either directly or through representatives periodically elected by them. In a similar dimension, Cohen (1971) defined democracy as that system of community government in which by and large, the member of a community participate, directly or indirectly, in the making of decisions which affects them all. Dibia (2003) defined democracy as a form of government in which people exercise their governing power either directly, or through representatives periodically elected by them. Funk and Wagnalls Standard Desk Dictionary (1993), define democracy as, a form of government in which political power resides in all the people and is exercised by them directly or is given to elected representatives. Hornby (1995) gave a broader definition of democracy as a system of government by all the people of a country, usually through representatives whom they elect, though as allowing freedom of speech, religion, and political opinion ... Abraham Lincoln gave a classic definition of democracy as — the government of the people, by the people, and for the people. Lincoln's definition of democracy has remained popular till date and is seen by the study as a very simple and direct picture of what democracy implies. This is because it captures the real essence of the practice of democracy as a kind of government that has popular power in which people are free, happy, duly represented and people decide what happens through their representatives. A government that is continually focusing on the general will of the people.

Democracy can, therefore, denote either direct or indirect rule by the people. It is a form of government that is based on the consent of the people in which the people have a universal franchise to decide on those to rule them (Dahl, 1986). Democracy is generally defined as a form of government in which the masses have equal say in decisions that affect their affairs. These include equal participation in the proposal, development, and passage of legislation into law,

likewise social, economic and cultural conditions that enable free and equal practice of political self-determination.

2.3.1 Governance

Having defined the term ‘democracy’ it is equally imperative to explore the meaning of the word ‘governance’ in order to have an encyclopedic view of the concept of democratic governance. According to the Canadian International Development Agency (CIDA) cited in Johson (1997):

Governance is a concept that has developed considerably since it emerged in discussions of development issues around the late 1980s. The first classic political science essays on the subject talked about the concept of “governability”, which made the rule of law the core of development. With the end of the Cold War, “governability” gave way to the concept of governance, defined as redesigning or re-inventing public administration, in the broad sense of the term, to meet the new challenges of development in the era of globalization. Governance now deals with the issues relating to the mechanisms needed to negotiate various interests in society. It is increasingly seen as a concept that encompasses a series of mechanisms and processes designed to maintain the system, to empower the population and to ensure that society owns the process.

Esman (1997) claimed that “no two political scientists would agree on what the concept of governance is or what it means”. In fact, as Hyden (1999) noted, "only a few authors (have) define(d) it (the concept of governance) with a view to serving analytical purposes”. Hence, “governance as a concept has not been extensively used (or defined) in the political science literature until very recently when it gained currency” (Nkom & Sorkaa, 1996). The concept ‘governance’ first came to the fore in the *1989 World Bank Report on Sub-Saharan Africa: From Crisis to Sustainable Growth* (see Okunade, 2000 and Lafenwa, 2006). The report defined ‘Governance’ as “the manner in which power is exercised in the management of a country’s economic and social resources for development”. According to the World Bank (1993), governance has three dimensions. These dimensions which, Eyinla (1998) equally noted are: “the

nature of political regimes; the exercise of authority in the management of social and economic resources and, the capacity of government to design and implement policy and to discharge its functions”. Ejituwu (1997) in the same vein describes it as “the exercise of power by a person or group of persons for the benefit of the populace. He argues further that this power which theoretically belongs to the people however in a normal democratic situation is transferred to the leaders by a process of election which, in theory also, means that the leaders should exercise the power in the interest of the state. To Mark (1999) governance is a term that applies to the exercise of power in a variety, of institutional contexts, the object of which is to direct, control and regulate activities in the interest of people as citizens, voters, and workers.

For some Political Scientists, it refers to the process of political management of public resources (see Okunade, 2000 and Lafenwa, 2006).

From these definitions, it is clear that ‘governance’ is a broader concept than ‘government’, which is specifically concerned with the role of political actors or authorities in maintaining social order within a defined territory and the exercise of the legislative, the executive and judicial powers.

Okunade (2000) cited in Lafenwa (2006) while distinguishing ‘government from ‘governance’ defined governance as “the activities and process of governing not necessary about outcomes, but how such are reached. He went further to identify the form of political regime, the process by which authority is exercised in the management of a country’s economic and social resources, and the capacity of government to design, formulate and implement policy, and to discharge government functions.

More fundamental to most definitions of governance are three terms: Accountability, which denotes the efficiency with which the electorates or governed can exercise influence on

their elected representatives or governors; the Legitimacy, which is concerned with the right of the state to exercise power on its citizens and the extent to which their powers are perceived to be rightly exercised; and transparency, which is grounded on existence of mechanisms for ensuring public access to decision making.

To this end, it is established in most of the extant literature reviewed that democratic governance implies democratic ways of exercising power on behalf of the electorates by the elected representatives in the interest of all. The ideal democratic governance operates with democratic institutions like political parties, the judiciary and the legislature, which are adduced by classical democratic theory as bulwarks of democracy.

2.4 Legislative Performance: A Theoretical Explanation

There are different theoretical perspectives on legislative performance, to understand these perspectives certain questions need to be raised and answered. These questions include: what are the various activities outlined for the legislature in a democracy? What constitutes the required legislative capacity necessary for effective legislative performance? And what are the impediments to effective legislative performance in a democracy? These issues constitute some of the major concerns raised and addressed by some theoretical discourses on legislative performance. However, some of these perspectives are basically concerned with individual members of the legislature while other perspectives focus on the legislative institution itself. In addition to these dominant perspectives, some scholars look at the legislative performance from the standpoint of environmental influence on the legislature. All these views are important in understanding the theoretical background of the legislative performance.

One of the famous studies that provide the theoretical explanation of the legislative performance is the one by Mezey (1979). His analysis of legislative performance across legislature of the world is considered as a landmark comparative study on legislatures (Baba, 2009). Legislatures are classified into minimal, marginal, active, reactive and vulnerable. This classification was basically based on the perceived contribution of various legislative institutions in governance and democratic process. Some of the benchmarks for assessing the performance of legislatures which form the basis for above classification includes:

- i) which of the actors (executive or legislators) initiate bills that eventually becomes law;
- ii) the policy-making power of the legislature and;
- iii) the level of support for legislatures by the political elite and public.

The legislator- constituent relation is another dimension of understanding legislative performance. In this regard, the development of Constituency Development Fund (CDF) offers another theoretical perspective to the understanding of legislative performance. There are studies that attempted a broad-based analysis of legislators' effort towards constituency services. In the literature constituency services are used by incumbent legislators to mobilize votes (see, King, 1991 and Baba, 2009). Constituency services, therefore, enhance the functionality of legislature as a representative institution. Legislature, through constituency services, represents the people and link local needs to the government. This function underscores the centrality of the legislature in democratic governance. In Nigeria, constituency services are prioritized as part of the functions of the legislature. The provision for constituency offices and constituency allowance for legislators confirm this assertion.

Another theoretical perspective to understanding the performance of legislatures revolves around the quest for the professionalization of legislative institutions. Squire (1988) argues that

legislative professionalization is contextualized into three major components: members' remuneration level, staff support, and facilities as well as service time demand. Thus, legislative professionalization supposedly enhances the capacity of individual legislators in their drive for effective legislative performance. For, instance, legislators seek to professionalize the legislature and advance their career prospects by demanding for more legislative staff, which not only benefits their leaders in their quest for equal standing with the executive, but also works to the advantage of individual legislators by giving them resources to improve their re-election bids and to become more assertive in policy-making process.

Legislative oversight also provides another theoretical viewpoint for understanding legislative performance. The task of overseeing the activities of the executive and other institutions of government remains one of the fundamental functions of a legislature. Thus, effectiveness or otherwise of legislative oversight provide a standard measure for assessing legislative performance. In both parliamentary and presidential democracies, the conduct of oversight responsibilities distinguishes legislatures from other branches of government. However, oversight tools vary from one system of government to another. The number of tools and the level of involvement of legislatures in oversight defines the complex nature of the institution, which is the key to understanding its performance (Baba, 2009).

2.5 Roles of the Legislature

The literature on previous studies and findings on the roles of the legislature as one of the formal political institutions of democratic governance are reviewed. This is carried out with a view to identifying scholars' findings of the roles of the legislature in addition to constitutional and expected roles of some countries' national and states legislatures and the 'actual functions' of the

legislature in a democracy. This we facilitate our assessment and blow by blow analysis of the impacts of legislative turnover on legislators' performance in Kogi and Osun State Houses of Assembly.

Norton (1990) one of the leading scholars of legislative studies defined legislatures as 'constitutionally designated institutions for giving assent to binding measures of public policy, that assent being given on behalf of a political community that extends beyond the government elite responsible for formulating those measures'. Also, John Stuart Mill (1862) suggested that the legislatures act as the eyes, ears, and voice of the people, asserting that:

The proper office of a representative assembly is to watch and control the government: to throw the light of publicity to its acts, to compel a full exposition and justification of all of them which any one considers questionable; to censure them if found condemnable. In addition to this, the parliament has an office to be at once the nation's Committee of Grievances, and its Congress of Opinions.

These definitions of legislatures identify some of the salient roles of this important institution of democracy such as representation, oversight, ventilation of grievances among others.

It is established in most of the scholarly literature available for review that the legislative institutions have important roles to play in a democracy. Little wonder, when Volger (1977) described US Congress as 'a positive and effective force in American Democracy. He affirmed that American Congress provides an adequate arena for equal representation and furnishes a base for disagreement and oppositions (Volger, 1977). Barkan (2010) also contended that legislature is an institutional mechanism through which societies make representative government real on a day to day basis. In a similar manner, Obafemi Awolowo (1970) argued that:

In the absence of direct democracy, or of referendum or plebiscite on every single matter of public interest, a truly representative parliament is the only organized, the most constructive the most constitutional, and the most effective means by which the views, wishes, and grievances of the people can be carried and ascertained.

Besides, Agbaje (2000) cited in Lafenwa (2006) identified parties and legislatures as indispensable halves of the heart of democracy. Specifically, they recognized legislature as the most representative of the three branches of the modern democratic institution. According to these two scholars:

The roles performed by the legislature could facilitate the smooth functioning of the democratic systems or by default its decline and ultimate collapse (Agbaje, 2000 and Lafenwa, 2006).

Lafenwa (2006) also identified interest articulation, elite formation, and recruitment, socialization and mobilization, goals identification and formulation of policies as institutional devices for representation and conflict management as an area in which legislative institutions assist the processes of democratic governance. Sam and Olagunju (1996) study further confirm that the legislative role is crucial in any society governed by laws and not just for usual reason that legislators are constitutionally described as lawmakers. Rather, the importance of the legislative arm of government lies in the fact that it is the most accurate barometer for measuring the views of the people in a democracy.

A Consensus of views appears to exist among the scholars that legislature performs three distinct roles. These key roles include representation, lawmaking, and oversight (see: Bello-Imam, 2004; Davies, 2004; Edigheji, 2006; Fasahgba, 2009). Fashagba (2009) further identifies some roles which are classified as informal. These are consensus building, policy clarification and legitimizing.

According to Cummings and Wise (1997) legislatures perform both legislative and non-legislative roles. The legislative roles involve making laws that form the general rule by which the society is governed. These roles entail activities relating to drafting, presenting, debating, amending and passing bills. These may be an executive bill on policy or appropriation or private member bills upon which necessary legislative procedure and actions are required to become

laws. Detailed clause to clause consideration of the bill by committees of the legislature is an integral part of the legislative role. The non-legislative role is subdivided into formal and informal roles. According to Cummings and Wise (1997) cited in Fashagba (2009), the formal roles include: proposing amendment to the constitution; it can try and impeach the presidents or other civil officers of the states; it approves or rejects treaties and presidential appointment, while the informal roles are consensus building, policy clarification and legitimizing.

Legislatures represent the diversity of individuals and groups in society; as the supreme law-making institution in a nation, they make the rules by which society is governed; and they are designed to oversee executive spending and performance. How successfully, they carry out these functions vary dramatically, and for a number of reasons that will be discussed under the models of the legislature. Before we conclude this section, it is imperative to examine the main functions of the legislature as identified in most of the literature available for the review:

2.5.1 The Representation Function: The Legislature is the essence of representative government and this has made representation an important function of the legislature. This is because it plays a representative role by providing a link between the government and the people. The legislators bring the needs, demands, and aspirations of the people to the government. The government responds to these needs and demands through legislation and policymaking. One of the distinctive features of modern legislatures centres on the fact that they are constituted by people chosen by the electorate to represent them. The elected Representatives, therefore, are required to interact with the electorate and as much as possible reflect the interests of their constituents in their general conduct and activities. It is against this backdrop that Esebagbon (2005) argued that:

In a modern democracy today, the legislature evokes the idea of representative democracy, more than any other branch of government. Thus, democracy can only be sustained when legislatures have the will, ability, and information to make decisions that reflect the interests and needs of the society. Similarly, the governed must have the will, ability and information to transmit their needs and interests to their legislators and to evaluate the performance of the legislators and the various parties and to reward or sanction their actions (Esebagbon, 2005: 3).

This assertion is a true reflection of the function of a legislature as a representative institution of governance in a democracy. To this end, if democracy is a system anchored on the informed and active participation of the people, it is a vehicle for equal and wider representation (Yaquub, 2004).

The ideas of representation and development of legislative institution are necessitated by the complexity of human societies, which ruled out the possibility of direct democracy. It is in this context that representative assemblies evolved, whose members are elected within defined constituencies to represent their people in government. Legislators are responsible for representing the differences in society, and for bringing these differences into the policy-making arena. These differences may be rooted in geography, ethnicity, religion, political identification, gender, or other characteristics, but legislators are expected to represent them at the national or state level. Representation involves more than simply living in a specific area in the country, or having characteristics in common with those one represents (e.g., gender, political beliefs). It also involves listening to those one represents and making decisions and exercising influence on their behalf. Political scientist Nelson Polsby calls parliaments the “nerve endings” of the polity. Parliaments are the branch of government closest to people, and legislators, more than any other officials at the national or state level, need to be aware of the needs of constituents and are expected to respond to those needs. In many systems, the legislature's representation function involves constituent services, (i.e., helping citizens cut through government bureaucracies to

receive their benefits, assisting with special problems), and accessing government funds for projects to benefit the constituency, such as bridges, clinics, water systems, schools, etc. Parliamentarians become well known and help ensure their re-election, through providing such services.

To this end, representation is seen as a mechanism through which electorates seek to participate in the various functions and activities of legislative bodies without being physically present (Ayeeni-Akeke, 2008). This conception of representation raises a few important questions about how individuals chosen by the larger population or electorate should carry out their functions. This issue, of what should be the nature of the relationship between representatives and the people who chose them have not been satisfactorily answered by the scholars. The questions raised were whether elected or appointed representatives should act as mere transmitters of the opinions of the people in their constituencies or as representing the interest of the electorate or the nation at large. Besides, there is controversy on whether a representative body should use his personal initiative and judgment to determine what position to take on any issue that comes before the legislature or seek for and follow the instructions of his constituents or that of his political party's leaders. This brings to the fore, the age-long debate initiated by the well-known political theorist and lawmaker Edmund Burke, over whether a representative should act as a trustee or delegate, in his famous speech to his constituency in the city of Bristol in 1774. This debate gave rise to two theoretical viewpoints on representations. The first is the *mandate* theory, which posits that a representative is a delegate whose function is to get across and register the expressed or stated instructions of his or her electors. In this view, the representative is nothing but spokespersons for their electors and should, therefore, exercise their voting right in accordance with the instructions of their constituents or, at worst in line with the way they think

their constituents would have voted if they had been physically present in the legislature. Second is the *trustee* theory which is of the view that a representative should enjoy the freedom to use his personal discretion based on his skills, knowledge and greater information available to him to determine how to exercise legislative powers. Put differently, the legislator should have the right and authority to initiate policies and act in accordance with his personal convictions, regardless of what the electors think. This position was supported by Edmund Burke, based on the assumptions that representatives possess superior knowledge, know more about issues of policy than their electors know and should have the right to use their discretions.

Ayeni-Akeke (2008) argued that neither of these theories is faultless and whether they reflect the way representatives actually perceive their role is very doubtful. For instance, the mandate theory is weakened by the heterogeneous nature of members of territorial constituencies. Given the diverse interest of individual members or group within such constituencies, it is often more problematic for representatives to determine the interests of the people on every issue all the time. He argued further that representatives lack the means of knowing the prevailing views of their elector, most representatives would have no choice than to fall back on their personal resources to determine how to cast their ballots in the legislature. This is sometimes unavoidable because many legislative matters often involve complex or technical issues about which ordinary citizens have vague ideas.

Furthermore, most citizens seldom follow political activities closely and, hence are not able to guide the activities of their representatives with suggestions about how they should vote on particular issues. Conversely, some representatives may not be better than their electors in terms of being conversant with the issues involved in a bill, let alone have adequate information on their fine points. Many representatives vote not really because of their personal understanding

of the issues or in accordance with the wishes of their constituencies, but according to the policy of their parties. This is particularly true of representatives in parliamentary systems where convention makes it mandatory for members of the same party to vote *en bloc*, especially on major issues (Ayeni-Akeke, 2008). In the alternative, they go along with the recommendations of a legislative committee, which, presumably, had studied the bill and made altruistic proposals.

These two theoretical foundations of representations (Delegate and Trustee) gave rise to Styles of representation. Some Members might view themselves as responding to instructions from their constituents sometimes called the “delegate” style. Others might prefer to act upon their own initiative and rely upon their own judgment—sometimes called the “trustee” style. In practice, when considering new legislation or the effects of implementing existing law, the opinions of their constituency often may be uppermost in a member’s mind. Constituent views, however, may vary in intensity from issue to issue, or fall on several sides of an issue, and the member would typically take into account opinions from other sources as well. Consequently, most members typically balance or reconcile these competing viewpoints with their own judgment when casting their votes, providing constituent service, or conducting oversight (Hamilton, 2000 pp. 757-759).

2.5.2 The Law-making Function: The function that is readily associated with legislatures by most people is that of lawmaking (Ayeni-Akeke, 2008). Legislatures all over the world have the power to make law and this function is regarded as the primary role of the legislature. The legislature is, therefore, ultimately the primary mechanisms through which modern states make laws, regulations, and grundnorms that form the basis on which state are governed (Wekwete & Sesay, 2001). However, despite the primacy of this function (lawmaking) to the legislature, it is instructive to note that the legislature could not monopolize the function of

lawmaking. Other institutions of government share in the performance of this function particularly the executive in the area of initiating bills. A bill is a legislative proposal submitted either by the executive or the legislature for legislative consideration and action (Fashagba, Davies & Oshewolo, 2014). The process of formulating bills or proposal is complex and requires an institution like the executive that has requisite resources to do it. This is because rules or laws are made in response to practical needs. There must be a problem requiring a solution and executive personnel must believe that the problem can be solved if it is addressed with adequate resources. It is after this that the problem will be studied, data on its various dimensions gathered and analyzed before the executive then formulate it into legislative proposal or bill that will be sent to the legislature for enactment into law. Bills or proposals can also originate from sources other than the executive. Such bills are called *private bills* while those that come from the executive are called *public bill*. The importance that attached to either type of bill differs. Public bills are considered more important and are given precedence over private bills. This largely has to do with the tendency for provisions of public bills to apply to all citizens of a state, whereas private bill may affect a particular constituency or sub-group within the political system. Probably for this reason, and the fact that preparation of bill consumes a lot of resources and efforts that only the executive can conveniently mobilize, private bills tend to be rare. For instance, throughout the four years of Nigeria's second republic, 1979-1983, only one private member's bill was able to sail through the National Assembly (Ayeni-Akeke, 2008). This draws attention to the fact that bills, which come before the legislature, even in democratic political systems, are preponderantly those emanating from the executive. Practically, every legislative proposals or bill originate from the executive in non-democratic political systems. Undoubtedly, the executive's role in lawmaking is highly hegemonial, apart from being responsible for an

overwhelming percentage of all bills, the executive also influence the successive stages of the legislative process and even the final enactment of bills into law. For instance, ministers, special advisers, and top bureaucrats are, from time to time, invited by the legislative committee to provide information.

Similarly, just like the executive, the judiciary also involved in lawmaking through the judicial interpretation of laws by regular courts. Courts in exercising their constitutional powers to apply the law in adjudicating disputes and to determine the constitutionality of executive and legislative actions may interpret legal acts in a manner that leads to making a new law (Ayeni-Akeke, 2008). However, the roles of these other institutions of government (Executive and Judiciary) in lawmaking have not rendered the legislature powerless or redundant. It remains important institution when it comes to the functions of deliberations, which is the most important operation in the legislative process. In performing this function, legislature subject bills brought before them to close scrutiny, and when they discover flaws, make necessary amendments. Arising from this exercise are two additional functions that legislature performs in the process of lawmaking. Scrutiny and amendment of public bills and executive-legislative proposals enable them to control and check excesses of the executive in two ways. Indirectly, the mere fact of scrutiny, modification and, sometimes rejection of executive bills curbs the domineering and dictatorial tendencies inherent in the executive organization. Thus, most constitutions grant the authority of general surveillance of the executive to the legislature. This authority is usually given concrete expression in form of the power of legislators to:

- i. Question members of the executive and public officials during the “question time” when the prime minister or other members of the executive in a parliamentary system of government are expected to answer questions on bills or other issues on which legislators

require additional information. Under the presidential system of government such as United State of America (USA) and Nigeria, cabinet members and bureaucrats may be invited for questioning by the legislature;

- ii. Veto or overriding executive opposition to modifications of bills passed by members of the legislature, especially, as they are constitutionally allowed to do in some countries operating presidential constitutions like Nigeria;
- iii. Authorize, alter or reject appropriation or financial bills without which the executive cannot legally obtain the money it needs to perform its numerous functions (Ayeni-Akeke).

2.5.3 The Oversight Function: Oversight function is another important role of the modern legislature irrespective of the form of government in practice. The legislature ensures accountability and transparency and serves as a watchdog for public funds and resources. It checks other organs of government from being overbearing in the discharge of their duties. It is through the oversight functions that the legislature regularly exercises its checks and balances power on another organ of government especially in democracies where bureaucracies and institutions are relatively underdeveloped and corrupt (Edosa and Azelama, 1995). Saliu and Muhammad (2010) indicated that legislative body takes an active role in understanding and monitoring the performance of the executive arm and its agencies. The legislature oversees government affairs and holds the person responsible for any actions and omissions accountable to the people. Adebayo (1986) revealed that legislative oversight cross-checks the executive by examining the activities of some chief executive, ministries, departments, and agencies of government. The Commonwealth Parliamentary Association (2002) asserted that the principle behind the legislative

oversight ensure that public policy is administered in accordance with the legislative intent. The legislative function does not end only on the passage of bills but to follow the activity linked to lawmaking. It is the responsibility of the legislature to ensure that such laws are being implemented effectively. John Stuart Mill (1862) cited in (Ornstein, 1992) argues that the legislature acts as the eyes, ears, and voice of the people, he asserted further that:

The proper office of a representative assembly is to watch and control the government: to throw the light of publicity on its acts, to compel a full exposition and justification of all of them which any one considers questionable; to censure them if found condemnable. In addition to this, the parliament has an office to be at once the nation's Committee of Grievances, and its Congress of Opinions (Ornstein, 1992: 2)

In the same vein, Verney (1969) contended that the watchdog function is perhaps more important for a legislative assembly than that of law-making. This is because legislature provides the institutional mechanism for ensuring accountability and good governance. Stapenhurst also noted that 'In most countries, the legislature is constitutionally mandated as the institution through which governments are held accountable to the electorate'. The role of oversight of executive administration thus specifically entails: scrutinizing and authorizing revenues and expenditures of the government and ensuring that the national budget is properly implemented. The constitutional power to partake in budgetary appropriation gives the legislature needed political influence to shape governance, and possibly carry out reforms that are sustainable. In this regard, Saffell (1989) asserted that 'no function of the Congress is more jealously guarded or more basic to administrative control than the power of the purse'. In the same manner, Posner and Park (2007) affirmed that 'Legislatures in some countries have gained a role in approving macro-fiscal frameworks'. The Nigerian legislature belongs to the class of legislative assemblies vested with a preponderance of power over fiscal matters.

The oversight function of the legislature exists as a corollary to the law-making process, for instance, the legislature controls the executive in financial behaviour and appointments of key officials such as ambassadors, ministers/commissioners amongst others. Lafenwa and Gberevbie (2007) asserted that effective legislature in governance enhances transparency, accountability, efficiency and fidelity in government. Different political systems practice oversight in different ways; a nation's political structure, formal oversight powers, and access to budget information all influence the practice of oversight. Legislative oversight functions are performed through technical committees and sub-committees of the legislature. Popular examples of such committees are House committee for Appropriation, House committee for power, House committee for external affairs and House committee for ethics and privileges among others. The increased national and international attention on government corruption in recent years have led to a greater focus on this aspect of parliamentary responsibility.

2.5.4 Constituency Responsibilities: to carry out these responsibilities, legislators must relatively detach themselves politically and mentally from the legislature to reflect their constituencies' needs. This is because every legislator is fundamentally a representative of a constituency. It is only in recourse to constituencies that legislator becomes relevant and derives their powers. A legislator does not even exist without a constituency. The legislators are expected to tender the needs of their constituencies and lobby their colleagues towards incorporating such needs into national plans of actions. It is to ensure the performance of this function that all legislators are empowered to have functional constituency offices through which they can constantly consult with their constituents to feel their pulses and realizes their aspirations for onward presentation to the legislature for appropriate actions and interventions. Ecological and environmental problems, militancy, poverty, unemployment, sectional

marginalization, gender discrimination, harmful traditional and cultural practices and other peculiar challenges that affected constituencies are expected to be exposed and advocated for by legislators representing affected constituencies. Constituency responsibilities and the previous roles discussed are all important and inter-connected (Edosa and Azelama, 1995). The degree of their satisfaction will either justify or falsify the existence of any legislature and they form the best practices against which legislatures' performance are measured.

Other functions of the legislature include:

Authorization of Collection and Expenditure of Money- legislatures are put in place to determine whether to pay tax or not, how much to pay and how to use or spend the money contributed by the people. For instance, the appropriation or finance bill that comes from the executive organ of government is an instrument for mobilization and allocation of resources between competing services such as health, education, transportation and other social, economic and political services (Ayeni-Akeke, 2008). Though, the executive prepares and finally endorses appropriation bill, without legislative approval, no money may be collected or spent by the executive. Legislatures more often than none use this power to compel the executive to accept modifications which may involve the inclusion of new items, scaling down some, rejections of other or making order request that is dear to their heart. Delaying of appropriation bills for long period of time is one of the strategies that are usually adopted by some legislatures to pressurize the executive to yield to their demand. However, some constitutions include provisions that authorize the executive to spend money from the public treasury, pending the time the legislature will approve the appropriation bill.

Political Recruitment and Training- Legislatures often act as major channels of recruitment, providing a pool of talent from which leading decision-makers emerge. It is a useful

training ground for potential leaders to prove their worth, learn about the issues and dynamics of politics, and make the necessary contacts that are likely to be crucial for their elevation to national leadership positions. For instance, Presidents such as Kennedy and Nixon first cut their teeth as members of Congress. Also, in parliamentary system service in the assembly is a required career path for ministers and prime ministers, who then continue to hold their assembly seats alongside their executive offices. Thus, in both developed and developing states, legislatures recruit and train the next generation of political leaders by giving them the experience of political debate and policy analysis (Heywood, 2002). However, this applies less in authoritative states, where rubber-stamp legislature seldom attracts serious politicians, and less in a presidential system, in which a separation of powers prevents the executive office from being filled by members of the assembly. Moreover, it sometimes argued that legislatures 'corrupt' politicians by socializing them into norms and values that distance them from the needs of their constituents and the instincts of grass-roots party workers (Heywood, 2002)

Selection and Removal of the Executive- the legislatures in some countries exercise the powers of both choosing and removing the chief executive and his cabinet. Some legislatures, constituted as an electoral college are vested with the authority to elect the head of state, usually the president of a republic with limited tenure. The Republics of Germany, Italy, India, and Greece are examples of countries where the legislature performs this function. Also in the United States, if none of the candidates obtain the required majority of votes in a presidential election, the members of the House of Representatives will be constituted into Electoral College for the purpose of selecting a president among the contestants. In the United States and under the 1979 Nigerian constitution, the executive only nominates people to some high bureaucratic and political positions in the various departments or ministries of government including the

diplomatic service. Such nominations are subject to legislative approval before the concerned individuals are formally appointed and sworn in.

Conversely, legislatures are also empowered to remove either all or some of the members of the executive. The prime minister and the whole cabinet in most parliamentary regimes can be removed from office by the legislature through censuring and passing a vote of no confidence on the executive or by rejecting an important bill submitted to the legislature for enactment into law. For instance, the instability of governments in Italy is mostly, because of frequent censure of the executive by the legislature. This power is used, more sparingly in other parliamentary regimes like those of Britain and Germany. In a presidential system, the president and other political functionaries of the state can be removed from office for specified offenses, usually high treason through impeachment.

The Ventilation of Grievances: It is a function of the legislators to call attention to abuses and to demand the redress of public grievances. This is done through the practice of asking questions and general debates.

2.6 Models of the Legislature

2.6.1 Rubber Stamp Legislatures: It is possible to think of parliamentary power as moving along a continuum from little independence and power to very influential and active legislatures. The simplest of legislatures are called rubber stamp legislatures. These bodies simply endorse decisions made elsewhere in the political system, usually by parties and/ or the executive branch. They are often associated with communist or totalitarian nations, where decisions are made by a leader or vanguard party, and in which the parliament is expected to simply endorse their decisions. Because demands on them are few, rubber stamp legislatures need little internal

structure or expert staff and should not need long legislative sessions. This was in vogue in 1914 to 1922, when the Nigerian Council had no legislative authority (Nwaubani, 2014). The Duma of the former Soviet Union and the Mexican Congress during the decades of Institutional Revolutionary Party (PRI) dominance could be considered rubber stamp legislatures. “Rubber stamp” generally connotes non-democratic, but it could also describe bodies such as the American US Electoral College, whose delegates are expected to vote according to the dictates of those who sent them, and not according to personal opinion. Rubber stamp legislatures are the least expensive to operate.

2.6.2 Arena Legislatures: Moving right on the arrow of parliamentary power and independence, we come next to arena legislatures. Arena legislatures are more powerful than rubber stamp legislatures and are places of real discussion, speech, and debate. Policy initiatives still come from outside the legislature, generally from executives or political parties. In arena legislatures, differences in society are articulated and government actions and plans are evaluated from different perspectives, but they tend not to initiate or dramatically reshape policy proposals. In arena legislature, information needs are greater than those of rubber stamp legislatures. For instance, they need sufficient internal capacity to organize debate; a committee system adequate for channeling the business of the house; and capacity to analyze proposals in order to comment on them critically, and to some degree, refine them. A useful analogy for an arena legislature is a thermometer. As thermometers take accurate readings of the temperature around them but do not change the temperature, so arena legislatures accurately reflect the “political temperature” with regard to the issues before them. Nigeria’s second chamber (House of Chiefs) between 1954 and 1966 could be considered as arena legislature. For instance, the House of Chiefs in the Northern Region had no power to originate, amend, delay or reject money bill (Oyediran, 1990).

2.6.3 Transformative Legislatures: Moving right again we come to the least common type of legislatures, transformative legislatures. Transformative legislatures not only represent diverse societal interests, but they shape budgets and policies. Transformative legislatures can be likened to a thermostat. As thermostats change the room temperature by activating heat or air conditioning, transformative legislatures change policies and budgets proposed by the government and even initiate policies of their own. Not surprisingly, transformative legislatures are the most expensive. They have highly complex internal structures (including strong committee systems), great information needs, and depend heavily on highly trained professional staff. The US Congress is probably the best example of a transformative legislature.

2.6.4 Emerging Legislatures: Finally, the fourth legislative type, which is not part of the continuum described earlier in this study, is called the emerging legislature. Emerging legislatures are in the process of change from one type to another. Worldwide, several legislatures exercise greater influence over government policies and could be classified as emerging legislatures. Expanding their powers usually requires major legislative changes, among them amending rules and procedures, building stronger committees, expanding professional staff, developing improved information systems, etc. The trend of emerging legislature started with the 1979 National and State Assemblies in Nigeria and has lasted till the present democratic era (Oyediran, 1990). Mexico's Congress, Kenya's and Uganda's parliaments could be classified as emerging legislatures too. In recent years, both Mexico and Uganda established professional budget offices, helping those parliaments play a more assertive role in the budget process. All three legislatures expanded professional staff, and Kenya and Uganda have made their administration independent of the executive. In Kenya and Uganda legislative staffs are no longer civil servants; they serve at the pleasure of parliament's leadership. The

parliaments also now set their own budgets. Emerging legislatures are under significant stress, as parliament's managers and staff struggle to meet the growing demands. Staff and resources that once met the demands of a less assertive legislature are no longer adequate. Emerging legislatures need professional staff, information systems, office space, and other capacities to enable them to expand their budget, policy-making, and oversight roles. MPs demand more of parliamentary staff members, who must respond more quickly, work faster, and do more than they have in the past.

2.7 Conceptual and Theoretical issues on Membership Turnover

Membership turnover is regarded as the outcome of a representative elite production process. As Best and Cotta (2000) argued, this process takes place at “the intersecting point between the supply of candidates, the demand of selectorates and the choice of the voters” (Best and Cotta 2000). Candidates are those individuals who enter the competition for office. Selectorates are collective actors or political parties, who select candidates according to internal procedures and criteria. Electorates are the end consumers and judges of the outcomes of the legislative recruitment function of parties. Legislative turnover among legislators is an enduring issue in the study of representative democracy, partly due to “the fact that the ability to bring about change in legislative personnel is important for theories of elite circulation as well as for creating opportunity structures for aspiring political leaders and insurgent groups” (Matland and Studlar 2004). As a result of this, legislative turnover has been a long-standing concern of political scientists, citizens, journalists and the international organization representing the world's legislative assemblies, the Inter-Parliamentary Union (IPU 2012). Scholars and practitioners alike have raised a series of questions in relation to turnover.

- i). is there an optimum, healthy benchmark for turnover?
- ii). what are the legislative turnover rates across space and time? and
- iii). what are the effects of this turnover rate on the legislatures' performance?

Crowther and Manytone (2007) see legislative personnel turnover as a 'democratic thermometer'. It is perceived, among others, as the organization of alternation in power, democracy is said to suffer if it projects too much or too low turnover rates. Low turnover is associated with unresponsive legislative bodies (Matland & Studlar 2004; Boll & Rommele, 1994; Jackson, 1994; Lawson 1993). High turnover rates harm the functioning of the parliament among others by breeding short-termism and instability (IPU, 2012). Policy innovation suffers too (Brunk & Mineheart 1984). On one hand, personnel changes, "even when party control of the legislature does not change, can lead to dramatic shifts in policy positions" (Matland and Studlar 2004). On the other, increased turnover among legislators can make them short-sighted, affecting fiscal policy and economic growth (Uppal & Glazer 2015). Though there is surprisingly little agreement on what constitutes 'normal' turnover, the 'usual' turnover rate is estimated at anything between 20 percent and 40 percent (see for example Crowther & Matonyte 2007; Kuklis 2013).

The simplest method to measure legislative turnover is by subtracting the number of re-elected members from the total members in the House immediately after a general election. The turnover rate is the proportion of legislators who fail to secure re-election to be part of the subsequent assembly while the retention rate is the proportion of members who secure re-election into the subsequent legislature. This method does not account for the membership turnover as a result of death or tribunal defeat that may warrant legislators' replacement within the session.

Conceptually, legislative turnover is defined as the proportion of new members out of the total membership in a legislative chamber. Unless the size of the chamber has been changed, the number of new members is equal to the number of old members who have left parliament. A representative is considered to be "new" if he did not serve in the session immediately prior to the one under examination. Matland and Studlar (2004) defined legislative turnover as 'the proportion of membership that changes from one general election to the next'. For the exact calculation of turnover rates, however, Manow (2007) offered a more precise definition. Manow (2007) propose to define turnover as the share of those who either do not return to the subsequent parliament or are not re-elected. This leads to a broad and a narrow definition of turnover. Legislative turnover is either defined broadly as comprising all who have been members of parliament but are no longer members of parliament, or it is defined more narrowly as comprising all who have been elected to parliament but failed to be re-elected to parliament (Manow, 2007). Using Germany instances, Manow (2007) posited that whereas the first proposed definition includes all those who were not elected but became members of parliament during the term (in Germany the so-called Nachrucker, i.e. substitutes who replace MPs who leave parliament during the term for whatever reason), the second definition excludes them. The difference is non-trivial. For instance, during the 12th term of the Bundestag (1990–94) 10 members of parliament died and 27 resigned and these vacancies were filled from party lists. This definition though fits the German environment does not fit ours because of the First Past the Post that is in operation in Nigeria as opposed to Proportional Representation and First Past the Post combination operating in Germany. Both definitions have straightforward counting rules: the return rate can be calculated by counting the number of MPs sitting in parliament on the last day of the previous parliament and the first day of the next parliament, with the total number of

seats in the previous parliament as the divisor. The re-election rate reports the percentage of incumbents who have been elected at one general election and are re-elected at the next general election, i.e. who were members of parliament on the first day of the previous and on the first day of the next parliament.

The analysis above shows that the pre-electoral turnover can be either voluntary or involuntary. Voluntary turnover could be either because the Member of Parliament (MP) decides to devote his or her time to something else, or because he or she chooses to join another party. In established democracies, party shifts among MPs exist but are rare. Admittedly, retirement is not always voluntary, as it can depend on failing health. As mentioned above, Members of Parliament may also die in office. In single-seat electoral systems, death in office will normally trigger a by-election, and information about by-elections has been taken into account in this study (to the extent it has been available), and such cases are then not counted as a turnover. Involuntary pre-electoral turnover occurs when an MP is not made the candidate in the next election, even though he wishes to run. It is not possible to separate voluntarily from involuntary pre-electoral turnover using election data, and as discussed above it may be difficult even with detailed information, but we will discuss the issue further below. In contrast, the electoral turnover is relatively straightforward. An MP who stands for re-election (for his/her own party, for another party or as an independent) may be accepted or rejected by the electorates.

For the purpose of this research, Legislative turnover is defined as the number of lawmakers who failed to win both at the intra and inter-party elections irrespective of the fact that they were members of the outgoing parliament. For example in Nigeria, the Seventh Senate recorded a high turnover of its members as only 33 out of the 109 Senators returned to the Eighth Senate after the general elections, 76 senators lost their bid to come back. The turnover

ultimately affects the quality of performance of the new Assembly. Most of the best legislators who helped conspicuously in giving vibrancy to the 7th Senate lost their return bid for various reasons.

2.8 Determinants of Legislative Turnover

The rates of legislative turnover in the national and state assemblies vary from one democracy to another. Studies have shown that different factors account for the re-election rate of incumbent legislators. Political scientists have explained the determinants of legislative turnover, identifying various reasons that accounted for turnover in legislatures. The various determinants of legislative turnover as identified in the literature reviewed include an electoral system, electoral defeat, duration of the legislative term, electorates' party preferences, political party and political career opportunities.

With regard to the electoral system, relevant research identifies the type of electoral system as important factors in the explanation of different levels of legislative turnover rates. A major distinction is made between proportional representation and majority voting (Manow 2007; Matland and Studlar 2004). In this respect, the decisive factor is how much significance is attributed to the candidates' personality. The proportional representation systems and majoritarian systems vary in terms of how much significance is attributed to the candidates' personalities. The differing levels of importance of the individual become obvious in the actual vote as well as in the party strategy to replace incumbents internally. In the majoritarian electoral system, incumbent's personality holds an advantage over their challengers from opposing parties. Incumbents can rely on their high profile, their credit for the electoral district, and their experience as reputable legislators. These attributes can tip the balance in a critical personal vote

where a winner-takes-all system is adopted. Contrarily, in proportional representation systems, the incumbency advantage is less prominent since priority is given to the parties, and seats in legislatures are distributed proportionally. Voters base their decisions on the contents of the party list and tend to pay less attention to candidates' achievements. It can, therefore, be predicted that turnover is more likely in proportional representation systems than in majoritarian systems (Heinsohn and Freitag, 2012). We come to the same conclusion when looking at the turnover mechanisms with parties. The mechanisms underlying the actual vote do not stop at the parties' strategy to nominate their candidates: In majoritarian systems gatekeepers are careful not to replace outstanding incumbents "because of fear of the loss of what is perhaps a critical personal vote" (Matland and Studlar 2004) cited in (Heinsohn and Freitag 2012). If the incumbency advantage is not decisive it seems to be less risky to replace incumbents with aspiring candidates on party lists. Proportional representation systems are therefore also thought to have a positive effect on legislative turnover.

Again, Matland and Studlar (2004) found that electoral defeat is another determinant of legislative turnover. Thus each candidate must compete, not only with those of other parties but also with those from his or her own party. Legislators may suffer electoral defeat either at party level during primary election or a general election while facing the opposition parties. Gallagher (2000) in his research on a Legislative turnover in Ireland and Malta found that intra-party defeats were especially important in Malta, which has extremely stable election results in terms of party voting and thus produces a relatively little inter-party turnover. Examining the fate of incumbents in elections from 1966 to 1998, Gallagher found that 72.1 percent of legislators were re-elected, 7.4 percent retired and 3.1 percent were subject to inter-party defeat, but fully 17.4 percent of representatives were victims of intra-party defeats. For Ireland, 1927–97, he found

that 75.0 percent of members of the Da'íl were re-elected, 8.5 percent retired, 10.7 percent were subject to inter-party defeat, and 5.9 percent were subject to intra-party defeat. In the same vein, Katz (1986) contended that any electoral systems that expose sitting legislators to the threat of intra-party defeat will lead to higher levels of turnover. He examined the effect of intraparty voting in several countries and found that intraparty defeat due to preferential voting varied from a high of 17 percent in Greece (with Finland also high at 14 percent), to more modest levels in Italy (7.8 percent) and Luxembourg (8.5 percent). In general, preferential voting systems should increase turnover compared to systems where the party presents a ballot that voters may not disturb.

Furthermore, scholars such as Gouglas, Maddens, and Brans, (2016); Kuklys, (2013); Heinsohn and Freitag, (2012) identified the duration of legislative term as another determinant of legislative turnover. They believed that electoral term length of the legislature is one of the obvious factors that are likely to affect turnover. In their view, how frequently an incumbent must stand for re-election matters in turnover of legislators. There are considerable variations in how often elections are held, depending on the official term of office, which varies from one country to another. For examples, in Nigeria, the official term of office for both National and State House of Assembly members is four years; in the US's Congress, the Senate and the House of Representative members have two and six years term in office respectively; Italy's Parliament members of Senate and Chamber of Deputies are elected for five years term and the UK Members of Parliament (MPs) in the House of Commons are elected for five years while House of Lord is divided into two Hereditary peers and life peers that retain membership of the House of Lords for life and Lords Spiritual that hold membership of the House of Lords until the end of

their time as bishops. Logically, the more often a legislator must stand for re-election, the more often there is a possibility the person may lose.

The limitation of the term in office is another factor thought to affect turnover (Moncrief, Niemi & Powell, 2004). The legislative term limit or (mandatory rotation) was adopted in some States Legislatures in the US in the early 1990s to reverse the continuing decline in a legislative turnover or high retention rate of American Legislators. Generally, the proponents of terms limits see it as an essential check on “career” politicians as well as a mechanism to bring “new blood and fresh ideas to state legislatures. Currently, 16 states have term limit laws in the US and in 2003, nearly a thousand legislators had been "termed out" in 11 states, and many state legislatures were accommodating themselves to the new reality of shorter terms in office. By definition, term limits will result in somewhat greater turnover in the affected state legislatures; there can no longer be any members who have more than 6 to 12 years of continuous service in a chamber, depending on each state's individual limits (Moncrief *et. al*, 2004).

Powell (2000) identified electoral volatility as another factor that can affect legislative turnover. Electoral volatility is defined as the sum of all positive deviations in seats received by parties from the previous parliament (Matland & Studlar, 2004). Voters that are dissatisfied with their representatives remove them and vote for aspiring new candidates. In this vein, changing preferences and a growing number of swing voters are responsible for electoral volatility (Hazan, 2002). The vulnerability of incumbents and the likelihood to lose the seat to a challenger increases with the vote transfer and the swing of seats from one election to the next (Matland & Studlar, 2004). If the absolute number of seats held by the parties in parliament is stable, turnover is less likely (Rosenthal 1974). If seats are at risk from one election to the next, there may be noticeable changes in legislative turnover.

A number of studies also found political career opportunities as a determinant of legislative turnover. These studies focus on the link between political career opportunities and turnover (Francis & Baker 1986; Samuels 2000). According to Schlesinger (1966), it is a natural part of political career planning to think strategically about more attractive political positions. Particularly at the sub-national level, we can assume that many political careers are being systematically planned. The perspective of a more appealing elective office leads legislators to vacate their seats (Francis & Baker 1986). If the political environment offers career advancement, turnover is thought to be higher than if the number of more attractive political positions is limited. For instance, in Brazil, the nature of political ambition is such that those who are elected to the Chamber of Deputies do not desire to stay. In contrast to systems where incumbents seek reelection with near unanimity, in Brazil an average of only 74.4 percent of incumbents has run for reelection (Samuels 1998). Thus, if all those who stood for re-election managed to win, turnover with each election would still average 25.6 percent. In his findings, this accounted for about half of the legislative turnover in Brazil. Most Brazilian politicians do not consider a seat in the Chamber of Deputies a long-term career goal. In Brazil, deputies perceive positions outside the Chamber as more attractive. These positions include the governor, vice-governor, senator, secretary to the state government and any other bureaucratic appointments at any government level. This is also happening in Nigeria.

2. 9 Effects of Membership Turnover Rates on Legislative Performance

A number of writers on legislative turnover have raised arguments for, and against, high turnover or low retention rate on what is considered to be the impact on legislative performance. The arguments for high turnover rate are mostly advanced by scholars reading US Congress

election data which consistently show a low turnover rate of 20 percent. Issues have been raised to show that a predictable low turnover rate in the US Congress is inimical to competitiveness and representation. For instance, Matland and Studlar (2004) argued that low membership turnover blocks the elite circulation and the opportunity structures for aspiring political leaders and insurgent groups. Belly (2012) also submitted that low membership turnover may lead to politics of exclusion and this could trigger propaganda on the part of excluded politicians to remove legislators who had spent two or three terms of office to give way to new ones. It was also claimed that the quality of interest representation and accountability of legislators will decline due to a complete sense of security of continued tenure. It was argued further that the culture of settlement and growing influence of lobbyists as well as long-term familiarity with the system, among others, can facilitate non-competitive approaches to resource allocation. This led to the growth of a strong movement for setting term limits for legislators, especially in the US. From 1990 to 1995 legislative term limits was passed in 18 states with an average of 68 percent voter support and it has already been adopted in the following states' legislature in the US since 1996: California, Maine, Colorado, Arkansas, Michigan, Oregon, Arizona, Montana, South Dakota, Ohio, and Florida. In November 2000 Nebraska became the 19th state to limit the terms of state legislators in the US (Basham, 2001). Following the implementation of term limits in US states' legislature, the turnover rate has increased and the American voters believe that high turnover or low retention rate will create opportunities for new ideas and fresh thinking.

However, despite the adverse effects of high retention or low turnover rates on legislative performance as shown in US Congress, the experience of democracies with the high turnover rate in the literature reveals that it does not enhance the performance of legislature. It reduces the performance of the lawmakers, for example, less-experienced lawmakers are more likely to find

themselves reinventing the wheel, wasting time and effort that could have been avoided if they have better institutional memory. Meanwhile, where lawmakers are short of expertise, an unelected official such as aides, bureaucrats, and lobbyists can grow in influence (Hamalai, 2014 and Jacobson, 2012). Similar problems arise for committee chairs when committees are chaired by legislators who have no previous experience in the legislature. Executive dominance will also prevail if the legislative arm has short institutional memory. The executive arm of government generally seeks to extend their influence beyond their bounds not only in emerging democracies but also in established ones.

Besides, high turnover rate discourages legislators from strengthening their own institutions and would unduly focus on altering compensation structures. A high rate of turnover changes a legislators' calculation of his or her expected tenure, and hence, alters his or her quest for incentives while in office. This has been the case in Nigeria National Assembly where the "collapsing" of various expenditure heads to augment members' allowances and provision of individual official perquisites is well known.

Yogesh (2009) while examining the effect of legislative turnover on government expenditure of Indian states elections, he found out that turnover increases the level of public expenditure per capita. A higher level of turnover may result in increased government spending because a legislator, who is less likely to get re-elected, would want to constrain the policies of his or her successor and cash in on short projects. Thus, the higher the level of turnover, the greater the rise in general expenditure and especially on short-term implementable programmes. Consequently, public expenditure is altered to focus on constituency projects. Re-election concerns arising due to a higher level of turnover shorten current incumbent's horizon. He/she seeks to signal his or her competency by spending on programmes that show result immediately

when he is still in the office rather than undertaking any public investment that will linger to show results and will likely benefit the future incumbent. Higher turnover may also lead to waste in the expenditure process. New legislators are unlikely to pursue completion of constituency projects initiated by their predecessors. High turnover of legislators is having a negative effect on the implementation of constituency projects, as new members of the National or State Assembly demand for the inclusion of their preferred projects in the budget rather than the completion of the ones selected by their predecessors (Chukwu, 2012).

The different perspectives highlighted above seek to answer three questions (a) what is the optimum retention rate for the legislature to be effective in its functions of oversight, lawmaking and representation; (b) do established legislatures (e.g. USA or UK) and emerging ones such as Nigeria require the same level of retention rate to be effective?; (c) are the determinants and effects of retention rates the same for the legislature of advanced democracies and those emerging ones such as a Nigeria and South Africa? The evidence presented above indicated that the determinant variables differ for advanced and emerging legislatures. Answering the first question, there seems to be no study that established a scale of optimality to evaluate different retention rates. However, several cross-regional data analysis indicated different sensitivities, needs and effects for advanced democracies and emerging ones. Thus, while high retention rate may be seen as dampening the principles of competitiveness which democracy is dependent upon in the USA, extremely low retention rate in Nigeria and most African countries is seen as anti-thesis to the development of parliamentary democracy. Simply put, the legislature may require some level of continuity in membership to retain institutional memory, grow confidence and some level of professionalism to be able to effectively curtail executive dominance, an oversight the executive and make people oriented laws. It may be suggested that medium rate (50

percent -70 percent) may allow continuity required for effective performance and competitiveness that would allow some level of elite circulation and transformative changes in policy.

The third question on cross-regional variability in the determinants and effects of retention rates has an affirmative answer. For example, while the low quality of challengers in the USA is unable to match the high quality of incumbents in the Congress, the opposite is the case in Nigeria and South Africa where high-quality challengers oust lower quality incumbents. There are several other related determining variables such as excessive accountability demands on legislators for collective and private goods that are unique to emerging democracies. That affects retention rates and even the effectiveness of the legislature in its oversight and law-making functions. Incumbents who are unable to meet up the excessive accountability demands could be easily unseated by well-resourced and well-connected challengers. In addition, as democratic governance stabilize, new and old political elites (former governors, cabinet ministers, senior politicians etc) have greater confidence in the political system. The rational expectations in the political market become more positive thus opening up the participation of high-quality challengers.

2.10 Membership Turnover Rate in Nigerian National and State Assemblies

Periodic elections are held in Nigeria, as in most representative democracies world over for the purpose of re-electing legislators or electing new ones by the electorates. This section examines the rate of membership turnover in Nigerian National and States Assemblies from 1999-2015.

The Nigerian legislature has one of the lowest retention rates globally. This argument is supported by the National Institute for Legislative Studies (NILS) in its recent research titled:

“Continuity and Change in Nigeria’s Elections: A Collection of Essays” conducted in 2014 which revealed that Nigeria has the highest turnover rate of lawmakers in the national parliament with a turnover rate of 70 percent compared to USA’s 10 percent South Africa’s 47 percent, Ghana’s 56 percent, Kenya’s 64 percent, Uganda’s 50.5 percent and 51 percent for Benin Republic.

The legislative Institute document also reported that the United States has the highest retention rate in the world with almost 100 percent probability that a senator or member of the House of Representatives would be re-nominated by his party to re-contest elections. The report adds that there is a 90 percent probability that he or she would be re-elected. Re-election rate in US House of Representatives averaged over 90 percent since 1964 while the retention rate for Senate averaged 85 percent in the last five decades.

The 2003 Senatorial election in Nigeria recorded an average turnover rate of 67.9 percent and 32.1 percent retention rate. Only thirty-five senators were re-elected out of one hundred and nine incumbent senators, putting the number of a new senator at seventy-four at the beginning of the new legislative session in 2003. Similarly, in the elections that were held in 2007 and 2011 respectively, twenty-seven senators were re-elected in 2007 out of one hundred and nine incumbent senators given a turnover rate of 75.2 percent and retention rate of 24.8 percent while 35 senators were re-elected in 2011 out of one hundred and nine incumbent senators given a turnover rate of 67.9 percent and retention rate of 32.1 percent.

A similar trend of turnover rate was observed in the Nigerian Federal House of Representatives elections held in 2003, out of 360 incumbent members, one-hundred and eight members were re-elected (30 percent retention rate) and two-hundred and fifty-five were new

members (70 percent turnover rate). In the 2007 Federal House of Representatives election, one hundred and ten members were re-elected (29.1 percent retention rate). Two-hundred and fifty are new members (69.9 percent turnover rate). In the 2011 election, one-hundred and three (103) members were re-elected (28.7% retention rate), and two hundred and fifty-seven new members (71.3 percent turnover rate) (Onuigbo and Eme, 2015).

Table 1: Legislators' Turnover and Retention Rates in the Nigerian National Assembly from 2003-2015

5th National Assembly	1999-2003	2003-2007			
	Incumbent Legislators	Re-elected Members	Retention Rate	New Members	Turnover Rate
The Senate	109	35	32.1%	74	67.9%
HORs	360	108	30%	252	70%
6th National Assembly	2003-2007	2007-2011			
	Incumbent Legislators	Re-elected Members	Retention Rate	New Members	Turnover Rate
The Senate	109	27	24.8%	82	75.2%
HORs	360	110	29.1%	250	69.9%
7th National Assembly	2007-2011	2011-2015			
	Incumbent Legislators	Re-elected Members	Retention Rate	New Members	Turnover Rate
The Senate	109	35	32.1%	74	67.9%
HORs	360	103	28.7%	257	71.3%

Source: Researcher's Compilation from the official Records of NILS, Abuja

In the 2003 general election, out of one-hundred and fifty-six incumbent' state legislators in the North Central Geo-political Zone, forty-six members were re-elected (29.4 percent retention rate). One-hundred and ten were new members (70.6 percent turnover rate). In the North West Zone Houses of Assembly, out of one-hundred and seventy-six incumbent' state legislators, seventy-one members were re-elected (40.3 percent retention rate). One hundred and five were new members (59.7 percent turnover rate). In the North West Zone, Kano House of Assembly data on legislators' turnover in 2003 is not available. Therefore, the retention rate of 40.3 percent or 59.7 percent turnover rate was based on the remaining six states in the zone. In the North East Zone, it was two states (Gombe and Taraba) that have data on legislators' turnover in 2003 States' general election. Out of forty-eight incumbent members that were available in the zone, eleven members were re-elected (23 percent retention rate) while thirty-seven were new members (77 percent turnover rate). In the South East Zone Houses of Assembly in 2003, out of one-hundred and twenty-nine incumbent' members, forty-one members were re-elected (32 percent retention rate). Eighty-eight members were new members (68 percent turnover rate).

In the South West Zone States Assemblies in 2003, out of one-hundred and seventy-six incumbent' members, twenty-four were re-elected (14 percent retention rate). One-hundred and fifty-two were new members (86 percent turnover rate). In the South-South Zone States Assemblies in 2003, out of one-hundred and thirty-five incumbent' members, fifty-six were re-elected (41 percent retention rate). Seventy-nine were new members (59 percent turnover rate) (see Policy Analysis and Research Project (PARP), National Assembly, 2007).

Table 2: Legislators' Turnovers and Retention Rate in the Nigerian State Assemblies by Zones, 2003-2007

Geo-Political Zones	1999-2003	2003-2007			
	Incumbent Legislators	Re-elected Members	Retention Rate	New Members	Turnover Rate
North-Central	156	46	29.4%	110	70.6%
North-West	176	71	40.3%	105	59.7%
North-East	48	11	23%	37	77%
South-East	129	41	32%	88	68%
South-West	176	24	14%	152	86%
South-South	135	56	41%	79	59%

Note: Taraba State has no data on Legislators' Turnover in the North-West

. Just two states, Gombe and Taraba, have data on legislators' turnover in the North East

**Source: Researcher's Compilation from the official Documents of National Assembly,
Abuja**

In the general election of 2007 out of one-hundred and fifty-three incumbent' state legislators in the North Central Geo-political Zone, thirty-nine members were re-elected (25.5 percent retention rate). One-hundred and fourteen were new members (74.5 percent turnover rate). In the North West Zone Houses of Assembly in 2007, out of two-hundred and sixteen incumbent' state legislators, sixty-one members were re-elected (28.2 percent retention rate). One hundred and fifty-five were new members (71.8 percent turnover rate). In the North East Zone Houses of Assembly in 2007, out of one-hundred and fifty-six incumbent' state legislators, forty-seven were re-elected (30.1 percent retention rate). One-hundred and nine were new members (69.9 percent). In the South East Zone Houses of Assembly in 2007, out of one-hundred and thirty incumbents' members, forty-six members were re-elected (35.4 percent retention rate). Eighty-four members were new members (64.6 percent turnover rate). In the South West Zone States Assemblies in 2007, out of one-hundred and seventy-six incumbent'

members, forty-seven were re-elected (26.7 percent retention rate). One-hundred and twenty-nine were new members (73.3 percent turnover rate). In the South-South Zone States Assemblies in 2007, out of one-hundred and sixty incumbent' members, fifty-seven were re-elected (35.6 percent retention rate). One-hundred and three were new members (64.4 percent turnover rate). (see Policy Analysis and Research Project (PARP), National Assembly, 2010 Vol. 3)

Table 3: Legislators' Turnovers and Retention Rate in the Nigerian State Assemblies by Zones, 2007-2011

Geo-Political Zones	2003-2007	2007-2011			
	Incumbent Legislators	Re-elected Members	Retention Rate	New Members	Turnover Rate
North-Central	153	39	25.5%	114	74.5%
North-West	216	61	28.2%	155	71.8%
North-East	156	47	31.1%	109	69.9%
South-East	130	46	35.4%	84	64.6%
South-West	176	47	26.7%	129	73.3%
South-South	160	57	35.6%	103	64.4%

Source: Researcher's Compilation from the official Documents of National Assembly, Abuja.

In the general election of 2011, out of one-hundred and fifty-three incumbent' state legislators in the North Central Geo-political Zone, forty-nine members were re-elected (32 percent retention rate). One-hundred and four were new members (68 percent turnover rate). In the North West Zone Houses of Assembly in 2011, out of two-hundred and sixteen incumbent' state legislators, ninety-four members were re-elected (43.5 percent retention rate). One hundred and twenty-two were new members (56.5 percent turnover rate). In the North East Zone Houses of Assembly in 2011, there was no data for Taraba State on legislators' turnover, out of one-

hundred and thirty-two legislators whose data were available in the North East Zone, fifty-six members were re-elected (42.4 percent retention rate). Seventy-six were new members (57.6 percent). In the South East Zone Houses of Assembly in 2011, out of one-hundred and thirty incumbent' members, forty-one members were re-elected (31.5 percent retention rate). Eighty-nine members were new members (68.5 percent turnover rate). In the South West Zone States Assemblies in 2011, out of one-hundred and seventy-six incumbent' members, fifty-four were re-elected (30.7 percent retention rate). One-hundred and twenty-two were new members (69.3 percent turnover rate). In the South-South Zone States Assemblies in 2011, out of one-hundred and sixty incumbent' members, seventy-two were re-elected (45 percent retention rate). Eighty-eight were new members (55 percent turnover rate) (see Compendium of NILS and National Assembly, 2012, Vol. 4).

Table 4: Legislators' Turnovers and Retention Rate in the Nigerian State Assemblies by Zones, 2011-2015

Geo-Political Zones	2007-2011	2011-2015			
	Incumbent Legislators	Re-elected Members	Retention Rate	New Members	Turnover Rate
North-Central	153	49	32%	104	68%
North-West	216	94	43.5%	122	56.5%
North-East	132	56	42.4%	76	57.6%
South-East	130	41	31.5%	89	68.5%
South-West	176	54	30.7%	122	69.3%
South-South	160	72	45%	88	55%

Note: Taraba State has no data on Legislators' Turnover in the North-East

Source: Researcher's Compilation from the official Documents of National Assembly, Abuja.

2.11 Membership Turnover in Comparative Perspectives

Comparatively, membership turnover rate varies across the time and space, and to discuss anything on turnover or retention rate, it is instructive to know the longevity index of House members. Perhaps, it is in the light of this that Hamalai (2014) raised this question: “*what is the average uninterrupted tenure in a given parliament?*” According to him, a definite answer could not be given due to inadequate research, the few cases he cited for illustration show intense variability such that generalization of any given composite index cannot be made. Various scenarios in emerging democracies such as Nigeria give the median longevity of four years. However, there are four ranking senators in the Nigerian Senate who have consistently retained their seats out of 109 members that started in 1999.

In the US House of Representative, the oldest congressman has been in the House since 1955 (58 years) followed by one elected since 1965 (48 years). Nine members served for over forty years, twenty-four served between 24-32 years and eighty-five served between 14-23 years. One forty-eight served less than ten years while seventy-six were elected in 2013.

In summary, nine members served for over forty years while about sixty members served for over twenty years. Thus, the average stay for US Congressmen is about fourteen years. The average stay of Singapore parliament is fifteen years or three terms. A conclusion cannot be drawn on legislative longevity index in this study due to insufficient data and time. Suffice to conjure that four to five-year terms for legislators can be described as the median longevity. Nigeria's case indicates a median longevity of 4 years (Hamalai, 2014).

The USA presents the highest retention rate in the western democracies. It is almost 100 percent probability that a senator or member of the House of Representative would be re-nominated by his/her party to contest re-election. There is a 90 percent probability that he/she would be re-elected. Re-election rate in US House of Representatives averaged over 90 percent

between 1964 and 2010. Party retention rate is about 95 percent the last five decades. Re-election rate is lower as it averaged 85 percent within the last 5 decades. See table 5 for details.

Thus, European countries though varied in their re-election rates have averages retention rates lower than the US at less than 70 percent. While the UK, Germany, Japan, Denmark, and Sweden have an average retention rate of about 75 percent, other European countries range between 65 percent and 50 percent (Matland and Studlar, 2004) cited in (Hamalai, 2014). On the other hand, Nigeria and most Sub-Sharan African countries have retention (re-election) rates of between 50 percent -20 percent. The huge gap between high and low turnover across regions lend a different set of arguments on varied impacts on legislative performance.

Table 5: US Congress Retention Rate from 1989 to 2011

Start Year	End Year	Congress	Re-Election Rate	Party Seat Retention Rate
1989	1991	<u>101</u>	90.1%	99.6%
1991	1993	<u>102</u>	87.7%	98.3%
1993	1995	<u>103</u>	73.6%	98.1%
1995	1997	<u>104</u>	79.8%	88.2%
1997	1999	<u>105</u>	77.4%	98.7%
1999	2001	<u>106</u>	89.9%	99.3%
2001	2003	<u>107</u>	88.2%	98.7%
2003	2005	<u>108</u>	87.9%	98.1%
2005	2007	<u>109</u>	88.6%	98.7%
2007	2009	<u>110</u>	84.9%	93.1%
2009	2011	<u>111</u>	86.9%	94.0%
		AVERAGE=	85.0%	96.8%

Source: Open Secret.org, Center for Responsive Politics cited in Hamalai (2014).

Europe paints a varied picture of retention/turnover rates. The range is from 80 percent retention rate for Australia to 53 percent for Canada. Nigeria is the lowest of most African Countries where retention rates are higher at an average of about 50 percent. As discussed earlier in this chapter, each country seems to present different sets of determinants. It is interesting to note that Canada is unique in the high level of voluntary exits due to attractive retirement package and members' discomfort with long distance travels and poor political mobility structure.

Table 6: Retention and Turnover Rates in Selected Countries

Countries	Number of Elections	Retention Rate (mean)%	Turnover Rate (mean)%
The United States	8	84	16
Australia	6	80.0	20
West Germany	3	78.7	21.3
The United Kingdom	4	75.7	24.3
Belgium	4	69.5	30.5
Italy	4	64.5	35.5
Netherland	5	63.7	36.3
France	3	57.7	42.3
Spain	4	56.0	44
Portugal	5	54.8	45.2
Canada	4	53.1	46.9
Nigeria	3	29.5	70.5

Source: Adapted Retention Rates from Hamalai, 2014; Matland and Studlar, 2004; and Turnover Rates calculated by the Author

Table 7: Turnover (Exit) Rate in Some African Parliament 2009

Countries	Turnover Rates (%)
South Africa	47
Ghana	56
Kenya	64
Uganda	50.5
Benin	51
Nigeria	70
Malawi	67
Tanzania	55
Botswana	47
Lesotho	54

Source: Hamalai (2014); Barkan (2013); Kasfir and Twebaze (2009); Staffin and Zhou (2009); and Official Records from the Nigerian National Assembly

2.12 Previous Research and Gap in Literature

Past studies on legislative turnover had addressed different issues such as effects of turnover on legislative institutionalization, causes/determinants of legislative turnover at sub-national level, national level and cross-nationally (see for example Polsby, 1968; Hibbing, 1988a, 1988b; Squire, 1998; Matland and Studlar, 2004; Manow, 2007; Krupnikov, Morton, and Shipan, 2008). Some scholars have also investigated the consequences of turnover extremes (too low and too high turnover rate) and their studies revealed that low turnover rates conceal the danger that incumbents may lose touch with reality and sight of the greater public good. Moreover, they impede aspiring interests and groups from gaining access to legislative channels, thereby leading to decreased legislative legitimization and increased citizen disenchantment with politics (Heinson and Freitag, 2012). It makes policy change less likely and contributes to an air of arrogance and corruption in the House (Asher & Weisberg, 1978; Fiorina, 1996). By contrast,

too much turnover is equally undesirable. An excessive circulation of representatives defers political decision-making and can lead to mistakes in terms of “both the lawmaking and watchdog functions” (Rosenthal, 1974). It was also found that the resignation of experienced politicians is accompanied by the loss of political know-how and a weakening of the institution (bitterly partisan and more easily manipulated legislatures) as such (Polsby, 1968; Bell and Price 1975; Hibbing, 1991; Miquel and Snyder 2006).

Another area of legislative turnover that has received the attention of scholars is the issue of incumbent retention and legislative institutionalization. The legislative institutionalization literature was pioneered by Nelson Polsby (1968) and carried over into studies of legislative careers in the U.S. Congress (e.g. Hibbing 1999; Ehrenhalt 1991; Fiorina 1994) and state legislatures (e.g. Rosenthal 1996; Moncrief 1999). Studies of legislatures have long looked at the relationship between legislative turnover (how many incumbent legislators return from election to election) and questions of legislative institutionalization. The early studies pioneered by Polsby (1968) used turnover as a proxy for legislative institutionalization; that is, low legislative turnover was associated with a highly institutionalized (or "professional") legislature. Polsby argued that the high rate of incumbent retention in the modern U.S. Congress was not a problem since it meant that legislators had significant institutional experience and therefore made the legislature powerful a necessary element of "checks and balances" system. Moreover, the increased relative ease of re-election, the theory held, meant that legislators could focus on developing policy expertise and other skills useful for governing. Later works, such as those by John Hibbing (1988; 1999) called into question the assumption that turnover was an indicator of legislative institutionalization. Based on a cross-national study of legislative careers in the U.S. and United Kingdom, Hibbing concluded that low turnover rates were not necessarily associated

with higher levels of institutionalization. The British House of Commons, like the U.S. House of Representatives, had a consistent lower turnover rate but exhibited low measures of institutionalization when using other criteria. Hibbing argued that there was no reason to believe that turnover and institutionalization were related. The legislature itself could have higher individual membership turnover, yet still, be institutionalized. Other institutional features (such as parliamentarism, which fosters stronger parties but also produces a distinct legislative-executive relationship than presidentialism) may have independent effects on legislative institutionalization, perhaps reducing the "relevance" of membership turnover.

Generally, studies on turnover are mainly confined to the United States (Norris, 1993), except for a handful of advanced industrial democracies. Recently, there is increasing attention to the systematic studies of legislatures beyond the U.S. An example is Matland and Studlar's (2004) study on legislative turnover that examines turnover rates across twenty-five (25) industrialized democracies in Western Europe which covers three decades (1970 - 1990). They found significant differences in turnover rates across the countries in their sample, and often in surprising directions. Matland and Studlar also found that electoral volatility, the time between elections, and whether the country was a new democracy also significantly affected turnover rates. While previous studies on turnover have provided information about the effects of turnover on legislative institutionalization, causes/determinants of turnover, the rate of turnover over time as well as across states, it offers only modest insight into the implications/effects of membership turnover on legislative performance. Besides, studies on legislative institutions in Africa generally and Nigeria in particular focus on issues such as: legislative-executive relations, legislative oversight, legislative efficiency and democratic stability, legislative corruption and democratic governance, assessment of central and state Legislatures among others (see Bello-

Imam, 2004; Lafenwa, 2006; Fashagba, 2009; Oni, 2013 and Ewuim *et.al.* 2014). The only study in recent times that investigated legislative turnover in Nigeria is the article of Onuigbo and Eme (2015) on “*Legislative Turnover in the National Assembly: A Study of the South – East Zone, 1999-2015*”. Obviously, the present study is urgently needed to fill the gap created by the previous researchers. It is against this backdrop, that this study seeks to investigate membership turnover and legislative performance in Nigeria’s state assemblies, using Kogi and Osun States, 1999-2015 as units of analysis. It should be noted that to say whether legislative turnover is high or low, a benchmark is required. This work adopted the optimum legislative turnover rate of 20 percent - 40 percent given by Crowther and Manytone (2007) as a benchmark.

Table 8: Summary of the Relevant Literature Reviewed

Authors	Previous works on Legislative Studies	Findings	Gaps in Knowledge
Richard, A.O. and Eme, O.I.(2015)	Legislative Turnover in the National Assembly: A Study of South-East Zone, 1999-2015	The study revealed that Nigeria's National Assembly has the highest legislative turnover rate of 70% compared to South Africa with 47%, Ghana 56%, Kenya 64%, Uganda 50.5% and 51% percent for Benin Republic respectively.	The study was restricted to the National Assembly. The study also failed to examine the effects of this high rate of legislative turnover on legislative activities and performance. Further studies on legislature should address this gap in Knowledge.
Ogundiya, I. S. and Baba, Y. T. (2014)	Legislative Institutionalization: The Case of Sokoto State, 1999-2011	This research established an intricate relationship between legislative turnover and performance. It was also discovered that educational and professional composition of the legislature is very critical to its performance. The lack of institutionalization and performance of Sokoto State legislature were due to lack of party internal democracy, rotational and zoning formula, excessive control and manipulation of the legislature by the executive and financial dependence of the legislature on the executive	The study captured Sokoto State alone. Other states of the federations should be examined too.
Oni, S. (2013)	The Legislature and Constituency Representation in the Fourth Republic of Nigeria's Democratic Governance	The study revealed that Nigeria's national parliament has transformed from being an advisory body to a full law making institution and has recorded improvement in terms of legislations and oversight roles, but offers a slim ray of hope in championing constituents' interests	The study was on Nigeria's national parliament alone. There is a need for further research that will focus on State Houses of Assembly
Akindele, S. T. <i>et. al.</i> (2012)	Democracy, Governance, Legislative Challenges and Impediments in Nigeria, 1999-2011	The study revealed that Nigeria's legislature since 1999 has been more of a gloom than hope, particularly in its law making and oversight functions	The paper covered National Assembly alone and there is a need to study State Assembly too.

Authors	Previous works on Legislative Studies	Findings	Gaps in Knowledge
Nwanole,B.O.G. (2012)	Legislative Efficiency and Democratic Stability : A Re-Appraisal of National Assembly	The paper revealed that the National Assembly members are deeply busy into unprecedented capital accumulations to the utter detriment of the electorates	The paper did not talk about the good side of the National Assembly, it is one sided. And there is a need to extend this appraisal to state legislature
Fashagba, J. Y. (2009)	Executive Legislature Relations in Kwara and Oyo States, Nigeria (1999-2003).	It was revealed that the executive dominated the policy making arena and the entire political process of the two states (Kwara and Oyo)	There is a need to look beyond executive legislature relations of states legislature, and also to cover the periods that were not considered in this study
Mojeed, O. A. A. (2009)	The Legislature in Africa: A trajectory of Weakness	The study discovered that the capacities of African legislature as an effective agents of limited government were seriously constrained by historical experience (colonialism and militarism)	The study attributed the weakness of African legislature to historical experience alone and there is a need to consider other factors that can also affect their performance such as the constitutional provisions for legislature, retention or turnover of rate the legislators among others.
Lafenwa, S. A. (2006)	Assessment of the performance of the Southwestern States, 1960 – 2003.	It was revealed that the South western states legislature were Ineffective	Focused on large number of states, the necessity for an in-depth analysis was sacrificed
Matland and Studlar (2004)	Determinant of Legislative Turnover: A Cross- National Analysis	They found significant differences in turnover rates across the countries in their sample. Matland and Studlar discovered that frequency of elections, opportunity for double listings; electoral volatility and legislative institutionalization have statistically significant effects on turnover. In addition the type of electoral system was also shown to have a statistically and substantively significant effect, with turnover much greater in the latter. And whether the country was a new democracy also significantly affected turnover rates.	The study was restricted to the industrialized countries of the world. The study also fails to address the implications/effects of turnover rates on legislators' performance

Authors	Previous works on Legislative Studies	Findings	Gaps in Knowledge
Peverill Squire, (1998)	Membership Turnover and the Efficient Processing of Legislation	The study discovered that membership turnover is not related to number of bills enacted per legislative day, or to the percentage of bills passed. Instead legislative efficiency is related, to the number of interest groups in a state, the number of bills legislators introduce, legislature's level of professionalization. It was also revealed that legislative rules influence efficiency.	The study is limited to the relationship between membership turnover and efficient processing of legislation as if law making function is the only responsibility of legislatures. Thus, there is a need to investigate the relationship between membership turnover and other responsibilities of the legislature like its oversight functions, representational roles and constituency services.

Source: From Researcher's different sources of Literatures Reviewed

2.13 Theoretical Framework

2.13.1 Introduction

It has become a universal phenomenon in the social sciences for facts to be investigated or examined precisely within a framework, rather than in an isolated manner, it is necessary to develop a sound theory, which is capable of explaining the wide concepts and relationships in the study. The importance of theoretical framework in a study lies in the fact that social science research is theory based and its operations are guided by relevant principles of human behavior (Goode and Hatt, 1952) cited in (Murana, 2015). The study has therefore adopted the following theories: Elite theory, Systems theory, and Structural Functionalism as its tools of analysis.

2.13.2 Elite Theory

One of the theoretical foundations of this research is an elite theory. Parry (1969) defined elites as the small minorities who appear to play an exceptionally influential part in socio-political affairs. They exercise preponderant influence within society by virtue of their actual or supposed talents. In political science, the theory is basically a “class” analysis approach to the understanding of political phenomena. The term dates back to the writings of Vilfredo Pareto (1935 and 1968), Gaetano Mosca (1939 and 1968) and Robert Michels (1968, 2001) in which they observed: (1) the elite as distinguished from the non-elite groups within a social order; and (2) the divisions within the elite between a governing and a non-governing elite.

Furthermore, Mosca (1939) noted that the distinguishing characteristic of the elite is the “aptitude to command and to exercise political control”. The conceptual schemes postulated by elite theorists comprise the following generalization: In every society, there is, and must always be, a minority which rules over the rest of society. This notion is quite compatible with Robert Michel’s observation in his “political party” who posits that organization says oligarchy”. Mosca Pareto also says that in all human societies, be it capitalist or socialist, simple or complex, there is a ruling elite which rules all others member of society.

The classical elite theorists posit that elites derive almost invariably the original power from coercive sources through the monopoly of a military factor. The minority, either "political class" or governing elite compose of all those that occupy political power or those that influence governmental decisions. This minority undergo changes in its membership and composition. These changes may ordinarily be by recruitment of new members of society. Sometimes the change is by incorporation of new social groups and accordingly a complete replacement of ousted elite by the counter-elite through revolution. The last form of change comes about when

elite refuses to respond to the first two changes. Elite theorists also talked about what they called the "circulation of elites". This can be explained as a situation whereby one set of elites (political executives) is replaced by another possessing similar traits. This is what Mosca Pareto was describing when he generalized that "history is a graveyard of aristocracies". This statement shows the inevitability of change when the elite facet. This change can take different forms: (1) between different categories of the governing elites itself (e.g. from the non-governing elite) or between the elite and the rest of the population and while such changes go on, they affect merely the form but not the structure of rule which remains at all times minority dominated (Oligarchy).

Put differently, the theoretical view held by many social scientists which hold that American politics is best understood through the generalization that nearly all political power is held by a relatively small and wealthy group of people sharing similar values and interests and mostly coming from relatively similar privileged backgrounds. Most of the top leaders in all or nearly all key sectors of society are seen as recruited from this same social group, and elite theorists emphasize the degree to which interlocking corporate and foundation directorates, old school ties and frequent social interaction tend to link together and facilitate coordination between the top leaders in business, government, civic organizations, educational and cultural establishments and the mass media. This "power elite" can effectively dictate the main goals (if not always the practical means and details) for all really important government policymaking (as well as dominate the activities of the major mass media and educational/cultural organizations in society) by virtue of their control over the economic resources of the major business and financial organizations in the country. Their power is seen as based most fundamentally on their personal economic resources and especially on their positions within the top management of the

big corporations and does not really depend upon their ability to garner mass support through efforts to "represent" the interests of broader social groups.

Elitist theoreticians differ somewhat among themselves on such questions as how open the power elite is to "new blood," the exact degree of agreement or disagreement that usually prevails within its ranks, and the degree of genuine concern (or lack thereof) for the broader public welfare that enters into their choices of public policy goals, but all such theorists broadly share the notion that it is these few thousand "movers and shakers" who really run the country and determine the basic directions of public policy, certainly not the manipulated and powerless masses of ordinary voters choosing among candidates at election time (Burton and John, 1998),).

Elite theory in political sociology was advanced in direct response to Marxism. The early elite theorists were conservatives who were opposed not only to socialism but also to liberal democracy as expressed by any movement which attempted to give the masses of the population a greater influence on political affairs.", They argued that elites were necessary and inevitable and that any revolution which pretended to abolish elites would end up by simply replacing one elite with another. Elite theorists use two basic lines of argument. First, they argue that certain aspects of human nature make elites inevitable. Second, they argue that elites are necessary for any social organization to function effectively. There is also a sociological argument that elites are necessary for a large social organization to function.

The elite theory developed in part as a reaction to Marxism. It rejected the Marxian idea that a classless society having an egalitarian structure could be realized after a class struggle in every society. It regards Marxism as an ideology rather than an objective analysis of social systems. According to Elite theory, man can never be liberated from the subjugation of an elite

structure. The term Elite refers to those who excel. The classical elite theorists identify the governing elite in terms of superior personal qualities of those who exercise power.

However, the later versions of elite theory placed less emphasis on the personal qualities of the powerful and more on the institutional framework of the society. They argued that the hierarchical organization of social institutions allows a minority to monopolize power. Another criticism of the elite theories against the Marxian view of the distribution of power is that the ruling class too large and amorphous a group to be able to effectively wield power. In their view power is always exercised by a small cohesive group of the elite. The elite theory argues that all societies are divided into two main groups a ruling minority and the ruled. This situation is inevitable. If the proletarian revolution occurs it will merely result in the replacement of one ruling elite by another.

The classical elite theory was propounded by Pareto and Mosca. From the above, this elite theory and their circulations have the following features:

- i. Power is a function of economic status (wealth and related social standing);
- ii. few have power, while most do not;
- iii. few are atypical of society as a result of distinct upper social economic status and interlocking social networks in schools, family, corporate & charitable boards, and party affiliations;
- iv. non-elite movement into elite strata is slow and only those who accept elite “consensus” enter into the governing circle;
- v. elites share a consensus on basic goals and values such as “managed capitalism” public policy reflects elite preferences;
- vi. policy changes are incremental while “big” changes are rare;

- vii. elites influence the masses more than the masses direct elite through their control of news media, control of political parties, control of entertainment media and control of the political agenda;
- viii. elites because of their privileged position control the business of democracy; and
- ix. elite Theory discourages competition among the homogenous elite and promotes "top-down" democratic values, discourages violent changes.

How can a republic like Nigeria claim to be a democracy if only a few people actually make political decisions, even if they are elected by the people? The elite theory holds that a representative democracy is not really based on the will of the people, but that there is a relatively small, cohesive elite class that makes almost all the important decisions for the state.

Another version of elite theory argues that voters choose from among competing elites. New members of the elite are recruited through a merit-based education system so that the best and brightest young people join the ranks of the elite. Elite theorists argue that the founders believed that a privileged majority should rule in the name of the people with a controlled amount of input from citizens.

The elite theory was employed to explain the circulation of political elites in Kogi and Osun State Assemblies. This is because, elite own political structures that returned the godsons to political offices, bribes the judiciary or electoral umpires to decide cases in their favour. They equally provide financial resources to the non- governing elites to oil their political machine. They control the decision making of their parties and their communities.

2.13.3 Systems Theory

The systems theory had its origin in the natural sciences but generally speaking, the theory originated in movements aimed at the unification of science and scientific analysis. The proponents of the theory sought to find unifying element which would offer a broader perspective for creative analysis. In the period after the Second World War, this crystallized around the concept of systems, Bertalanffy (1969), the German biologist, defined a system as a set of “elements standing in interactions”. This concept is based on the idea that objects or elements within a group are in some ways related to one another and in turn, interact with one another on the basis of certain identifiable processes. The term ‘systems’ is useful for organizing one’s knowledge about many social objects and the use of the ‘systems’ approach to politics allows one to see the subject in such a way that “each part of the political canvas does not stand alone but is related to each other part”, or that “the operation of one part cannot be fully understood without reference to the way in which the whole itself operates”.

It is a theory that has been developed by a number of writers, such as Almond (1960); Easton (1965); Almond and Powell (1966, 1978); Mitchell (1972); Adamolekun (1983); and Offiong (1996). Although many political scientists have come to employ systems theory in the study of politics, its foremost elaboration could be found in the book titled “*The Political System*” written by David Easton in 1953. This book made him one of the prominent supporters of the application of general systems theory to Political Science (see Lafenwa, 2006). Easton (1965) defines a political system as that “behavior or set of interactions through which authoritative allocations (or binding decisions) are made and implemented for society. A system is marked by differentiation and integration. The chief function of the political system is making authoritative decisions that allocate advantages and disadvantages for an entire society. At the

heart of this conception lies decision-making which is the essence of the political system. The proponents of the systems theory identify three primary components of every political system, namely, the *political community*, which comprises all those persons “bound together by a political division of labour”; the *regime*, which makes up the constitutional legal structures, political processes, institutional norms, as well as basic values; and the *political authorities*, who are those individuals exercising power as agents of the state for given time (Easton, 1965) cited in (Ray, 2011).

For Easton therefore, the political system is composed of the institutions established for making and enforcing decisions (the government) and the authorities that operate those political institutions. In making their decisions or policies, the authorities use formal political institutions (like the Executive, the Legislature, the Judiciary and the Bureaucracy) of a society to convert inputs (demands and supports) into output (decisions or policies).

Demands as the concept implies, are claims made by members of society for a greater share of societal values, be they wealth, security or status. Demand pass through the conversion or weeding procedure to reach the output stage, leaving the rest to be eliminated in the conversion process. If the demand call for authoritative action, there is a problem of overloading which may take place as a result of too many demands (volume stress) or from the qualitative elements in the nature of demands (content stress).

Supports are defined by Easton as "trust, confidence, and affection towards the political system". Supports are what make both selection and processing of demands possible. Easton makes an important distinction between overt and covert support. Overt support is an open and direct action which an interest group would take to advance its demands. Covert support means simply an attitude or a sentiment that is not hostile or unfavourable. Both kind of support flow

simultaneously and both are important for the functioning of the political community, the regime, and the government. It is the authorities (government) who have to process inputs from the environment into outputs.

The outputs of a political system are the authoritative decisions of the political authorities for the allocation and distribution of values. According to Young (1968) these decisions and actions “play a crucial role in generating specific support for a political system because of the existence of the feedback loops that complete the cycle of a political system and make it a dynamic and regenerative operation. Feedback is essentially a dynamic process through which information about the performance of a system is communicated in such a way to affect the subsequent behavior of the system.

This inputs-outputs model is complex than what has discussed above, it suggests that the effective performance of political roles especially by central political institutions such as the legislature, the executive, and the judiciary are capable of generating stability of political systems in general and democratic system in particular (Jenkins, 1997).By describing politics as an integrated system of the component, it is pertinent to note that if the system runs smoothly, it is said to be in equilibrium if, however, a political system is beset by conflict, systems analysis would check such "component" in order to find the root of the crisis.

Therefore, relating this systemic perspective to the legislative analysis, we begin with the concept of a political system that composed of different institutions or sub-systems (like the executive, the legislature, the judiciary and the bureaucracy) that play different roles to keep the system working.

System scholars generally specify the types of legislative inputs which include Citizens' expectations that is, citizens' beliefs regarding what the legislature ought to do and the way its officials and other citizens ought to or probably behave.

Individuals, nongovernmental, groups, as well as fellow legislators, have expectations regarding the proper behavior of the individual legislator and the desired output from the system. In fact, these expectations are probably important in shaping the legislator's conception of the role.

Supports are similar to expectations and may take various forms. Obviously, without some form of supports, institutions could hardly survive. When discussing support institutions for legislative sub-systems we are forced to focus our attention on public support. Support appears in this perspective merely as an attitude of individual towards the legislative institution. If one's attitude is positive, it is supportive, if it is negative it may either be non-supportive or some admixture thereof.

While demands mostly refer to constituency needs which the constituency members press to satisfy through their legislators representing them, demands may be made to alter or initiate, or amend public policy individually or collectively. Legislative outputs according to systemic perspectives are legislative decisions, which can be measured quantitatively in terms of a number of bills and motions. While other real functions performed by the legislature can be termed as its outputs.

The relevance of systems theory for this study has to do with the understanding of the kinds of relationship that exists between legislative institutions and their environments as regard policymaking. Easton (1965) argued that "public policy is a response of the political system to demands arising from its environment".

As an input-output model, the systemic framework is also significant in understanding what kind of input produce output in state legislatures under consideration. As Lafenwa (2006: 52) noted: "without inputs, the system can do no work, without outputs we cannot identify the work done by a system".

System theory or analysis has been criticized on many grounds. Notable criticisms include the fact that it does not delineate causal relationship. Its terminology is often difficult to define in rigorous term and it does not specify the magnitude or direction of change in a component that assumes will produce changes in other units.

Basically, the critique of systems analysis, regardless of the source, centers on methodological weakness, its suitability for empirical research and its conservative bias. Nevertheless, Mitchell (1972) argues that System theory is likely to be used for a long time to come, but the exact forms in which it will be used are less certain. The first form according to him is the structural functional approach, which is discussed in the next section.

2.13.4 Structural Functionalism

Structural-functionalism is another offshoot of general systems theories. It offers another example of a conceptual framework that has found wider acceptance among political analysts. Talcott Parsons was one of the main contributors to the development of functionalism, a theoretical approach pioneered by Durkheim and Comet. Also, include Kaplan (1957) and were popularized by Radcliff-Brown (1952) and Gabriel Almond (1960). These scholars maintain that structural-functionalism is a method of analysis which examines a system in terms of the structures of which the system is composed, and the functions performed by those structures.

According to the proponents of this theory, structural-functionalism can be described as means of explaining basic functions of the political structures in the political system and it is a tool of investigation. In essence, it explains the relationships between the parts (structures) on one hand and between the parts and the whole (political system) on the other hands. The relationship is explained in terms of the functions of each. It is the contributions of each structure that help to sustain the system.

The structures are many and they can take any form. They include political parties, interest groups, business groups, religious groups, the bureaucracy or civil service, legislature, executive, judiciary, among others. For instance, the legislature as a structure within the political system performs many functions including lawmaking, representation, oversights and constituencies activities.

Almond (1960) argued that all political systems performed key political functions designed to produce the society. He emphasized on the reproduction of processes and the stability of the social-political system. The best way to understand this is by turning to the analogy of the human body, a comparison, which Comte and Durkheim, and many subsequent Functionalist authors make. For instance, to study a bodily organ like the heart, we need to show how it relates to other parts of the body. By pumping blood around the body, the heart plays a vital role in the continuation of the life of organisms.

Similarly, analyzing the function of a political institution means showing the role it plays in the continued of system or society as a whole. In this study, an attempt will be made to underscore the role of the legislative institutions in a democratic system, and also their relationship with other central institutions of politics in maintaining democratic stability.

Elegant as this theory seems, it has been criticized for its over-reliance on issues of stability and equilibrium or system maintenance. It looks at the society as a stable entity with everybody living together harmoniously, and with each structure performing its requisite function.

However, this contradicts the underlying principle of political studies which is premised on power relationships, producing more often than not conflict and instability. In essence, functionalism in a way is anti-Marxism which believes strongly in the existence of contradictions and change in society. Also, Structural-functionalism analysis, like systems analysis tends to be vague and impressive. For instance, this approach does not indicate how in which direction, or under what circumstances, changes in one part of the system will produce a change in other parts of the system or in the performance of the system as a whole. All that is assumed is that change produces change. Moreover, it fails to elaborate and specify the nature of the interdependence of any particular structure.

Despite the shortcomings of this theoretical framework, it is worthy to state that the premises of Structural functionalism are nothing less than to provide a consistent and integrated theory from which can be derived explanatory hypothesis relevant to all aspects of the political system (Lafenwa, 2006). As Mitchell explores in his Structural-functional analysis of "The American Polity"

I have chosen to use the structural-functional approach largely because it seems to offer the best possibilities for eventually developing a general theory of political systems

The criticism notwithstanding, both systems theory and structural-functional approach are useful to this study because they seek to describe and account for the structure and functions of basic political institutions in the society.

CHAPTER THREE

THE DEVELOPMENT OF LEGISLATIVE INSTITUTIONS IN NIGERIA

3.1 Introduction

Legislature serves as a vital component of any democratic government and a major factor in its sustenance, its existence predates the advent of modern democracy. It has been observed that the advent of the legislature dates back to the 12th century and it is a product of medieval European civilization which was transformed in the age of democracy to suit the needs of contemporary political systems (Loewenberg, 1995). Boynton (2001) stated that before and after World War II when colonialism failed and nations grew in number, constitutions incorporate national legislature to replace extant governing institutions throughout the world while the influence of legislature continues to be on the rise in the 21st century. The popularity of the legislature cannot be separated from the wave of democratic growth across the continents.

However, the development of legislative institution in Nigeria was not the same with that of western democracies. In the western democracies, the legislature emerged as the organ of people's power in response to the desire of the people to control the excesses of the executive or in response to the struggles of the middle class, workers, and peasants against absolute kings and monarchs (Egwu, 2005). Contrarily, the modern legislature in Nigeria can be traced back to the colonial era. Its establishment became necessary because of the need for political control and containment, which resulted from the colonial government's response to increased agitation by the educated nationalists. Thus, the first appearance of the legislative institution in Nigeria may rightly be said to be rooted in the establishment of the legislative council which culminated in the adoption of the restrictive and qualified political representation of 1922.

This was followed by the creation of regional assemblies in 1946. The next was Macpherson constitution of 1951 which was replaced with what may be regarded as a benchmark in the development of legislature in Nigeria in 1954 when the colonial government, under severe pressure from the committed nationalists, replaced the Macpherson constitution of 1951 with the Lyttleton constitution. The Lyttleton constitution of 1954, which was the first to introduce federalism in Nigeria, also entrenched a central legislature (Hamalai, 2010). The attainment of self-government by the Eastern and Western regions in 1957, followed by the Northern region in 1959, prepare the ground for a truly people's legislative assembly which political independence in 1960 and emergence of Republican constitution in 1963 ultimately consummated. From the mid-1960s legislative development was severely interrupted by military rule under which the elected legislature was suspended in favour of armed forces ruling councils only to resurface briefly in 1979-1983 and 1992-1993. This was followed by the uninterrupted legislature that has started since 1999.

It is against this background that this chapter will examine the development of legislative institutions in Nigeria before and after independence. This is necessary because any discussion on the legislature in the Kogi and Osun State House(s) of Assembly has to be done within the development of the larger political entity, including the country's constitutional development.

3.2 The Pre- 1960 Legislative Institutions in Nigeria

There is no political community without a set of rules and governing body that determine and regulate the interactions among members of the community (Oni, 2013). Thus the history of the legislative institution in Nigeria is traceable to the British colonial government that established the pre-independence legislature for Nigeria through various constitutions in 1922, 1946, 1951,

and 1954. These periods (colonial era) marked the first phase of Nigeria's legislature development. Thus, the British Colonial masters promulgated the first act of the formal colonization process through annexation of Lagos in 1861. This was followed by the establishment of the Legislative Council in 1862 for the Colony of Lagos. The Legislative Council composed of the Colonial Governor, six officials, two Europeans, and two Nigerians, who were unofficial members. The Legislative Council was, however, a mere advisory body to the Governor (Oni, 2013). Following the amalgamation of the Colony of Lagos with the Southern and Northern Protectorates in 1914, a Legislative Council called “Nigerian Council” was set up to make laws for the whole country. The body comprised the Governor- General (Chairman), 23 official members and 13 unofficial members, 7 of whom were Europeans. The remaining six were Nigerian, they were mainly traditional rulers. The council met once in a year to discuss the governor’s speech and any decision taken could be vetoed by him (Akinbade, 2008). This legislative body was, however, not a law-making institution but a mere deliberative house and hence performed no legislative functions.

The Clifford Constitution of 1922 joined the Legislative Council of 1862 meant for the Colony of Lagos with the Nigerian Council of 1914 to become a new one, Nigerian Legislative Council which had the power to make laws for the colony of Lagos and the Southern Provinces. The body had 46 members which were: the Governor (President), 26 official members, 15 unofficial members including 6 Nigerians and 4 elected members (3 for Lagos and 1 for Calabar) (Akinbade, 2008). The council was, however, a mere deliberative body. Its resolutions have no force of law, and in spite of the embrative coloration of the council, its jurisdiction was confined to the Southern provinces, including the colony of Lagos, the council did not legislate for the Northern provinces. Northern Nigeria continued to be governed by order from the colonial office

in London and the Governor in Lagos (Oyediran, 2007). It is instructive to note here that the Nigerian Legislative Council created by the Colonial master was not for any altruistic motive, rather it was meant to enable the British officials to obtain, in the central exercise of their power, as much local advice and opinions as could be evoked (Olusanye, 1980).

Perhaps the most striking feature of the 1922 Constitution was the introduction of Elective Principle which, for the first time, provided an opportunity for Africans to elect their representatives and participate in the legislative process. This political development gave birth to the first political party in Nigeria in 1923, Nigerian National Democratic Party (NNDP) by Herbert Macaulay. The elective principle of the 1922 Constitution also provided an impetus for the early rise of nationalist movements and establishment of five newspapers to champion the cause of the nationalists' plights in Nigeria. The elective principle of this constitution came under criticism by the African elites on the basis that it limited the franchise of Africans. According to the Constitution, only the British subjects or protected persons who met the condition of possession of properties and annual gross income of 100 Pound Sterling were qualified to vote or be voted for. These conditions made it difficult for many Nigerians in Lagos and Calabar to be qualified.

The two political entities of Nigeria, Southern and Northern Protectorates were governed by separate legislative bodies till 1946 when the newly promulgated Richards' Constitution made provision for one legislature for the whole of Nigeria and regional legislative councils, known as Regional House of Assembly, with the principal function of presenting nominees for the central legislative body. The increasing agitations by Nigerians for more representation and participation in their affairs had led Sir Arthur Richards, the Governor of Nigeria, to introduce further changes in the development of Nigerian legislative Council by making provision for Central Legislative

Council with overwhelming African majority and three regional assemblies for the three regions (North, West, and East) (Odumu, 2010). These regional divisions were done along the major ethnic groups in the country – Hausa-Fulani in the North, Yoruba in the West and Igbo in the East.

The Central Legislative Council, for the first time in Nigeria's legislative history, had jurisdiction to make laws for the whole country. The council consisted of 45 members, the Governor who was still the president, 16 official members, 13 Ex-officio members and 3 nominated members and 28 Un-official members, 4 directly elected members and 24 nominated or indirectly elected members (Ojo, 1997). The Western and Eastern Regions had a unicameral legislature – House of Assembly, while the Northern Region had a bicameral legislature comprising a House of Assembly and House of Chiefs (Akinbade, 2008). The House of Chiefs was made up of first class chiefs only and was presided over by the Chief Commissioner – a new title for the Lt. Governor, while the House of Assembly was composed of nominees of the Native Authorities from among their own members as well as official and unofficial members. The monetary requirement noticeable in Clifford's Constitution was reduced in order not to disenfranchise eligible voters and contestants for political offices (Oyediran, 2007). The Governor was still powerful and overawed the Legislative Council as he dictated the pace and no ordinance could be passed without his consent. The Legislative Council was, therefore, not different in functions and capacity from that of 1922 even though it had wider representation and the unofficial members were in the majority (Ojo, 1997). The emphasis of the Richards Constitution on regionalism was criticized for having attendant negative consequences on the unity of Nigeria and it was regarded as a divisive document (Aghalino, 2006). In fact, Nigerian nationalists opposed Richards Constitution on two major grounds. The first was the manner and

procedure by which the Constitution was introduced. Second and most importantly, were its inherent weaknesses. Just like Clifford's Constitution, Nigerians were hardly given the opportunity to shape their future. The Constitution did not make provisions for the training of Nigerians in their gradual march towards self-rule (Eso, 1976).

Richard Constitution could not run its full course of nine years due to the vociferous opposition to its configurations. A new constitution was put in place five years later, when Sir Macpherson became the Governor of Nigeria in 1948, he decided to fashion out a new constitution and after much deliberations and debates of the draft constitution, Macpherson Constitution (1951) sought to impose a colonial hybrid arrangement, which had the characteristics of both Federal and unitary legal frameworks (Aghalino, 2006). The Constitution represented a major advancement from the previous constitutional provisions. It introduced majorities in the Central and the Regional Houses of Assembly. The Macpherson constitution of 1951 established bicameral legislature for both Northern and Western regions and a unicameral for the Eastern region. The House of Representatives was composed of 136 indirectly elected members (68 from the North and 34 from each of the West and the East, 6 ex-officio members and 6 special members appointed by the Governor. In the Northern Regional Assemblies, the House of Assembly was composed of the President appointed by the Lieutenant-Governor, 4 Official members, 10 Special members and 90 elected members. The House of Chiefs composed of the Governor as President, all first class Emirs and 37 other Chiefs, 3 Official members and 1 Adviser on Moslem Law. The Western Regional House of Assembly was composed of the Governor as the President, 4 Official members, 3 Special members and 80 elected members while the House of Chiefs was made up of Lieutenant- Governor as President, 50 first and second class Obas, 3 Official members and 3 Special members. The Eastern Regional House of

Assembly was, however, composed of Lieutenant-Governor as President, 5 Official members, 3 Special members and 80 elected members (Oni, 2013). Elections into the regional assembly were through Electoral College system (Mbah, 2001). While the House of Representatives could legislate on any matter whatsoever, the regional legislatures were no longer consultative or advisory bodies (Okhaide, 1995). The Governor however still had the reserved powers to refuse assent to any bill passed by the central legislature or to enact into law, bills rejected by the parliament. He had the power to stop or propose an amendment to any regional bill considered to be in conflict with the national interest.

It is informative to note that, the explicit division of constitutional powers between the central and the regional legislatures by the constitution was an introduction of a quasi-federal structure into the political and constitutional development in Nigeria. To avoid conflict of powers, the constitution stated that in the event of a clash under the concurrent legislative matters, the regional laws were void to the extent of its inconsistency with that of the central legislature (Aghalino, 2006). Furthermore, a profound consequence of the constitutional provision for the establishment of a regional legislature along the three major ethnic groups in Nigeria was the emergence of ethnic-based parties with its attendant acrimonious politics and ethnic cleavage, a phenomenon that exists in Nigeria political experience even till date. Ethnic-based political parties such as the National Council of Nigerians and the Cameroons, (NCNC) Action Group, (AG) and the Northern People's Congress, (NPC) emerged. In addition, the constitution was described as a wretched compromise between federalism and unitarism because it contained some provisions that were patently contradictory to the principles and norms of federalism (Mbah, 2007).

Despite the constitutional advancement made by Macpherson Constitution of 1951, it was unsatisfactory to Nigerian nationalists who strongly campaigned for its replacement. Subsequently, constitutional conferences were held in both London and Lagos in 1953 and 1954 respectively which led to the replacement of the Macpherson Constitution by the Lyttleton Constitution of 1954.

The 1954 Lyttleton Constitution laid the foundations for a classical Federation for Nigeria as it provided for the first time, the residual, exclusive and the concurrent lists, and defined the spheres of powers between the central and regional legislative houses. Nigeria, therefore, emerged as a federation with three regions independent of the centre. Each region had a Premier, a cabinet, and a legislature, while the Governor-General and the regional governors were no longer members of the legislature (Eso, 1976; Aghalino, 2006 and Oni, 2013). Suffice to state also, is the creation of the post of a Prime Minister by the constitution and the consequent emergence of Sir Abubakar Tafawa Balewa of the Northern People Congress (NPC) as the occupant (Akinboye and Anifowose, 1999). With respect to the legislative institutions, the constitution retained for the federation, the House of Representatives presided over by the Speaker and no longer the Governor. The House of Representatives composed of a Speaker, 3 ex-officio members, and 184 Representatives elected from the various constituencies in Nigeria with the North having 92 members, East and West, 42 each, Southern Cameroons 6 and Lagos 2 members. The House of Representatives was vested with the power to make laws for the country and discuss financial matters. Regional legislatures were to become independent of the Central Legislature and thus the centre's power to approve regional laws was removed. While bicameral legislature (House of Chiefs and House of Assembly) was maintained in the North and West, the East had only a House of Assembly (Ojo, 1997). In the West, the Governor or his nominee was

no longer President in any of the houses, The President of the House of Chiefs and the Speaker of the House of Assembly were appointed by free votes in the respective Houses. In the East, however, the Governor still appointed the Speaker of the House of Assembly while in the North, the Governor still presided over the House of Chiefs and his nominee presided over the House of Assembly. Following the federal structure, three legislative lists were created – an exclusive legislative list which specified the items on which the House of Representatives had powers to legislate upon, a concurrent list which the House of Representatives and the Regional Houses of Assembly had coexisting legislative powers; and a residual list made up of items on which the regional legislatures alone had powers upon (Ojo, 1997).

The salient issue that needs to be raised at this juncture is the way and manner the legislature evolved and developed under the colonial administration. This political institution hardly had any real functional power as an institution of governance. It was merely advisory tools in the hands of the Governor who was not by any means constitutionally committed to governing with the decisions of the legislative council. It was not in any way designed to build a Nigerian State, but essentially administrative strategies designed for better administration of the colonial state (Akinboye and Anifowose, 1999; Oni, 2013).

It is instructive to note that the Nigerian Legislature developed as an appendage and necessary extension of the colonial state which brought it to existence not to perform legislative functions as the most important institution of liberal democratic state but to perform ratificatory functions for the executive directives issued by the Colonial Governor. Thus the Nigerian legislature, from its creation was subordinated to the needs and logic of the legislature of the metropolis and as a result was prevented from developing as an autonomous institution with the attributes of the legislature in the modern democratic state (Adebo, 1988). The colonial

legislature were not designed to perform such enviable role as were characteristic of their forerunners in Europe in limiting royal absolutism but were merely designed to complement the work of the colonial governments by serving as agencies for articulation of views and ventilation of popular feelings that were not expected to radically change the patterns and policies of the respective colonial governments (Alabi, 2009). This orientation was to have a long-lasting effect on the performance of the legislature, not only during but even years after effective renunciation of colonial rule. Thus at independence, Nigeria inherited weak political institutions and inexperienced leadership.

3.3 Nigeria's Legislature since Independence

The independent constitution of 1960 was the outcome of a series of conferences held in Lagos and London between 1957 and 1959 to resolve the problems which had emerged as a result of the implementation of the Lyttleton constitution. The most notable of such conferences were the London constitutional conference of 1957 and the Lagos constitutional conference of 1958 (Akinbade, 2008). Agreements were reached in those conferences, among which was that Nigeria should be granted independence on October 1, 1960. The independence constitution of Nigeria came into force on October 1, 1960, and it adopted the Westminster Parliamentary system of government modeled after the British parliamentary democracy. The Federal Parliament comprised the Governor-General (as the Queen's Representative), the Senate, and the House of Representatives. One striking feature of the parliamentary system adopted by Nigeria is that apart from making the legislature an extension of the executive, it fell short of full application of the principle of separation of powers. In this sense, the Prime Minister, as well as the Parliamentary Secretaries, were first of all legislators before being appointed as the Ministers

(Lafenwa, 2009). Ojo (1997) carefully summarized the place of the legislature before Nigeria became a Republic.

Under the Parliamentary system, therefore, there was strictly no dividing line between both the executive and legislature. The executive went whenever the legislature was dissolved whenever the government resigned (Ojo, 1997b: 72)

In line with the Parliamentary system of government, they in their capacity as the executive members of the council of ministers virtually ran the affairs of the legislature. They introduced bills and other governmental measures for the consideration of the House. As the majority party in the House, they always enjoyed the support of the majority of members for any government measures brought to the floor of the House. In essence, the Parliamentarians operated in a dual capacity as legislators and as executive ministers. Therefore, with the adoption of the Parliamentary system of government at independence, the working of Nigerian legislature followed strictly the system in the British Houses of Parliament. First, the legislature was set up in accordance with the provision of the 1960 independence constitution and secondly, after legislative proceedings followed the 1958 standing orders (reviewed in 1963) patterned after the standing orders of the Commons House of Parliament in Great Britain (Lafenwa, 2009).

The Chapter five of the Independence Constitution provided for a bicameral legislature made up of a House of Representatives and a Senate. The House of Representatives consisted of 312 elected members, representing constituencies delineated on the basis of approximately equal population per unit constituency and the Senate of 44 nominated members, 12 representatives from each of the three regions selected at a joint sitting of the Legislative Houses of that region from among persons nominated by the Governor, 4 from the Federal capital, a territory of Lagos, and 4 approved by the Governor-General (acting in accordance with the advice of the Prime minister) (the 1960 Independence Constitution of Nigeria, section 42). The Senate was presided

over by a President who must be a Senator or a person who was qualified for selection as a Senator. The House of Representatives was, however, headed by a Speaker elected from among members of the House. Two legislative lists were established – the Exclusive Legislative List of 44 items for the Parliament and the Concurrent Legislative List consisting of 28 items on which both the Parliament and the Regional Houses of Assembly were empowered to make laws (Ojo, 1997). Both the Federal and the regional legislatures were competent to legislate with respect to matters contained in the concurrent list. The life of the Parliament was five years except that the Governor-General might at any time dissolve it, acting in accordance with the advice of the Prime Minister. The resolution of the House of Representatives on the ground of a vote of no confidence in the government of the federation may also result in the dissolution of the Parliament. The Governor-General could also dissolve the Parliament if the Office of the Prime Minister was vacant and there was no prospect of appointing someone who could command the support of the majority of members of the House (Dudley, 1982).

The Parliament that was put in place in 1960 continued until Nigeria achieved a Republic status in 1963 when the sovereign Head ceased to be the Queen. All provisions of 1960 constitution regarding the legislature were upheld under the Republican constitution of 1963. The 312 constituencies elected into the House of Representatives were as at 1964 distributed as follows: North (167), East (70), West (57), Midwest (14) and Lagos (4) to serve for five years and a Senate of 44 members selected from the various components of the Federation. The Senate, however, had very limited legislative powers; it had delaying powers only and lacked jurisdiction over financial matters (Adebo 1988). Thus, despite the country's independence, the legislature of Nigeria's First Republic did not change in relations to the legislative power of the British Crown in Nigeria (Omoweh, 2006).

The Republican constitution of 1963 also made provision for bicameral legislature at the Regions, the House of Chiefs and the House of Assembly. The Senate and the House of Chiefs were the Upper Houses of the Federation and the Regions respectively. In the 1963 Constitution, the President who now replaced the Governor-General was a ceremonial Head of State and the Commander of the armed forces. The Prime Minister who was to be a member that commanded majority support in the House of Representatives was to be appointed by the President. There were, therefore, two executives positions, namely, that of the president and the Prime Minister. Real executive power was in the hand of the Prime Minister who came from the largest party in the parliament. There was to be a Council of Ministers appointed by the President on the advice of the Prime Minister who was to be his advisers. The ministers were collectively responsible for ministerial responsibilities and functions to the legislature (Elias, 1967). The term of office of the President was for 5 years in the first instance. The number of times he could be re-elected depended on the continued majority support in the Parliament (Ojo, 1997). His removal was to be based on a motion of his misconduct or inability to perform his duty supported by at least one-fourth of all members of the Senate or the House of Representatives. An obvious problem with this constitution was the fact that what constituted misconduct and in what condition could it be said that the President was unable to perform his functions was not explicitly clarified.

The political institutions operating at the centre were replicated at the regional level. The post of a Regional Governor and a Premier were provided for each of the regions. The power to appoint the Premier was exercised by the Regional Governor who continued to oversee the smooth running of government programmes in their respective regions (Momoh, 2000). A significant feature of the parliamentary democracy of the First Republic was the fusion of the powers and personnel of the legislative and the executive branches of government (Isijola, 2002).

The executive was part of, and derived its power from, being included in the legislature (Nwabueze, 1982; Momoh, 2000; Oni, 2013). Within this fused relationship, the responsibility for ensuring accountability was the doctrine of ministerial responsibility. Members of the Cabinet who constituted the executive were responsible to the parliament for the activities of the government. More importantly, is the power of the Parliament to pass a vote of no confidence in the government as a means of ensuring accountability. The usage of this power, however, has the implication of resulting in the dissolution of the Parliament (Baker and Balogun, 1985). Thus, a cordial relationship is expected between the Parliament and the Executive. The party with the majority of seats in the House of Representative was constitutionally required to form a government and by implication produced the Prime Minister who sat atop the executive or cabinet (Nwabueze, 1982).

The first Republic was brought to an abrupt end on January 16, 1966, when the Military, following a coup d'état of January 15, 1966, suspended the office of the President, the Prime Minister, and the Parliament. The soldiers that took over vested legislative and executive powers in the Federal Military Government comprising Supreme Military Council and a federal executive council. The collapse has been attributed to the inappropriateness of the political institutions and process bequeathed to Nigeria by the Constitutions and their not being adequately entrenched under colonial rule as well as the failure of the elite to follow the rule of the game. The Westminster parliamentary system of government which was bequeathed to Nigeria by the 1960 and 1963 constitutions has been viewed as prone to fractionalization, confrontation and instability and therefore the root cause of the crises that led to the eventual collapse of the First Republic (Dudley, 1982; Akinsanya, 2005)

The restoration of civilian rule in Nigeria on 1st October, 1979 after thirteen years of military government was of landmark significance for Nigeria. In the programme of transition, the primary concern of the military leaders was to avoid the recurrence of the mistakes, disaster, and disappointment of the First Republic (Suberu, 1988). Their belief was that if the structures and processes of government and politics that had proved inappropriate in the First Republic could be changed, a stable and effective civilian government would emerge (Dudley, 1982). The collapse of the First Republic, therefore, informed the measures taken to engender democratic stability in the 1975 to 1979 transition programme (Osaghae, 2002). The transition was, therefore, designed to address those fundamental issues, which were historically divisive and to establish new political institutions, processes, and orientations (Asia, 2000). Accordingly, a 50-man Constitution Drafting Committee (CDC) was appointed to review not only the 1963 Constitution but to also look at what other constitutional practices and lessons in other parts of the world could be used as input in crafting a constitutional system suited to the Nigerian environment (Aghalino, 2006). At the inaugural meeting of the committee on 18th of October, 1975, the Head of State of Nigeria expressed the views of the Supreme Military Council regarding the new constitution. According to him, it was to eliminate cut-throat political competition based on a system of winner-takes-all, to discourage institutionalized opposition to the Government in power, to establish the principle of public accountability, to decentralize power, to ensure free and fair election and to devise an effective non-political system of census (Awotokun, 1998). In order to achieve these aims, the Supreme Military Council averred that it has carefully discussed and agreed on an executive presidential system of government in which the president and vice-president are elected, with clearly defined powers and are accountable to

the people while the choice of the Cabinet should reflect the Federal Character of the country and a genuine and truly national political parties (Oyediran, 1981).

Unlike the constitutions of the First Republic, the Second Republic Constitution was a product of the groundwork prepared by a Constitution Drafting Committee and a Constituent Assembly made up of elected citizens acting as representatives of the people. The Constituent Assembly was composed of 230 members, of whom 20 were appointed by the government and 7 were the chairman of the Constitution Drafting Committee and the chairpersons of its sub-committees. The remaining 203 members were elected by the local councils acting as electoral colleges (Nwabueze, 1982). The Constitutional Drafting Committee, on the other hand, was made up of 49 independent people chosen for their specialist knowledge or background (Nwabueze, 1985). These two bodies functioned between 1978 and 1979 and produced the Constitution of the Federal Republic of Nigeria 1979 (Udoma 1994). An initial draft was presented to the assembly by the Constitution Drafting Committee. In fashioning the draft constitution, the committee considered memoranda from the general public. It was this bill which later became the constitution (Read, 1979). By Decree No. 25 of 1978, the 1979 Constitution was enacted. The Constitution differed from those of the First Republic in that it introduced a United States-type presidential system in place of the parliamentary system. The report of the 1977/78 Constituent Assembly clearly stated the reason for the adoption of presidential democracy. The model was based on the need for unity, energy, and dispatch inherent in the single executive system – the President (Dudley, 1982; Aghalino, 2006). According to the committee, the choice of the presidential system was based on the need for effective leadership that expresses an aspiration for national unity without, at the same time, building a leviathan whose powers may be difficult to curb (CDC, 1978). It would, therefore, appear that the

discovery of the apparent fractionalization, contradictions, and confrontations in the parliamentary system of government made the drafters of the 1979 Constitution to jettison the dual system of leadership for the executive presidential system. In principle, reliance on an executive with a fixed term of office is supposed to enhance government stability, allowing presidents to see their programmes through to the end of their terms without the threat of early removal. Furthermore, reliance on a single chief executive is assumed to clarify lines of accountability: voters can identify incumbents and hold them accountable for their performance (Kim and Bahry, 2008). Nigeria therefore, following the restoration of civilian rule on 1st October, 1979 after thirteen years of military government, opted for a new constitutional structure modeled after the United States' presidential and gubernatorial government with its central principle of a single chief executive and a clear separation of powers among the three arms of government (Suberu, 1988).

Legislative power was vested in the National Assembly (bi-cameral) at the Federal level. There was a Senate, with a membership strength of 95, (each of the then 19 states in the country produced five Senators), and a House of Representatives with a membership strength of 450 (Metz, 1991). Seats in the House of Representatives are allocated according to the population. Therefore, the number of House members from each state differs. Members of the National Assembly are elected to a maximum of two four-year terms (Asia, 2000). While the Senate was largely a ceremonial body in the First Republic, the 1979 Constitution gave the Senate equal powers with the House of Representatives (Suberu, 1988). The fact that the Senate had the power to ratify appointments, that its President was constitutionally the 'number three' state official and the historical and universal conception of the Senate as the upper house, however, gave it an edge over the House of Representative (Osaghae, 2002). A unicameral legislative house of

assembly was established in the states of the federation. There were two legislative lists which defined the powers of the National Assembly exclusively on Exclusive Legislative List matters and concurrent powers with Houses of Assembly in the States on Concurrent Legislative items (Adebo, 1988).

The Second Republic was abruptly terminated by a Military coup d'état on December 31, 1983, and the 1979 Constitution was suspended. The National Assembly was abrogated and the military exercised legislative powers by way of promulgating Military Decrees. The precarious situation of the legislative body in Nigeria was worsened by the military incursion into the political arena of Nigeria's political development (Okoosi-Simbine, 2010). The Military regime created an authoritarian order and arrogated to itself the supreme power of the Nigerian state.

Through a carefully controlled and manipulated plan for the return to civilian rule by the Armed Forces Ruling Council (AFRC) under Babangida administration, a new Constitution was promulgated in 1989 for the Third Republic through Decree Number 12 of 1989 (Aghalino, 2006). It is pertinent to note that the Constitution did not fundamentally depart from the 1979 Constitution except for certain provisions such as the establishment of Two-Party System, the creation of traditional councils and conferring on state government, the power to create local government areas among others (Akinboye and Anifowose, 1999). The imposed transition programme resulted in the election of 91 Senators to the National Assembly in December 1992, with each of the then 30 states producing three Senators, and the Federal Capital Territory producing a seat. The Federal House of Representatives, however, had membership strength of 593; the seats were filled on the basis of one Representative per each of the 593 Local governments existing then in the country. Elections for the National Assembly were held in 1992 (Kaiser, 2005; Oni, 2013). Unfortunately, however, the constitution was merely promulgated but

did not wholly come into operation due to lack of full democratic governance in the country. It was only at the state level that it was practiced for two years (Mbah, 2007). The national and state legislatures only existed but were powerless as the military held on to power (Akinboye and Anifowose, 1999). The Presidential election that held on June 12, 1993, which would have ushered in properly constituted democratic governance in the country, was annulled by the military junta. The mounting pressure from both within and without; impelled Babangida to resign after handing over to an Interim National Government (ING) under the leadership of Chief Ernest Shonekan on August 26, 1993. Amidst public outcry against the illegitimacy of the ING, the military moved swiftly and toppled the government. It abolished the constitution and governed the country by decrees having disbanded the legislative bodies and proscribed elections until when the country returned to a presidential democracy in 1999 (Omoruyi, 1992; Egwu, 2005 and Oni, 2013).

The 1999 Constitution of the Federal Republic of Nigeria established the legal framework for the democratic government of the Fourth Republic. It is arguably to say that the 1999 constitution is largely borrowed from the 1979 and 1989 Presidential constitution with some amendments and came into force with effect from 29 May 1999, the date of the military handover to a democratically elected civilian regime. The constitution subdivided the federation into 36 states and a Federal Capital Territory (Abuja) and a total of 774 local government areas (Constitution of the Federal Republic of Nigeria (CFRN), 1999). The great trust that Nigerian political leaders place on the Presidential form of governance as the best for the country underpinned its retention in the 1999 Constitution, despite the acrimonious politics of the second republic (Aiyede, 2005). The constitution vested the legislative powers in the National Assembly – the Senate and the House of Representatives (Section 4 (1) of CFRN, 1999). The Senate is

made up of three senators from each of the 36 states and one from the Federal Capital Territory (Abuja). The House of Representatives, on the other hand, consists of 360 constituency members. Section 4(2) of 1999 CFRN empowers the National Assembly to make laws for the peace, order and good government of the Federation. Likewise, Section 6 and 7 of the CFRN, 1999 vested the legislative powers of each State in the House of Assembly of the State which is empowered to make laws for the peace, order and good government of the State.

It shows that the 1999 Constitution unequivocally states that the functions or powers of lawmaking are vested in the National Assembly and Houses of Assembly of the states for the Federation and states respectively. In order to avoid conflict of jurisdictional power, Section 3, 4 and 6 (a and b) of the Constitution clearly demarcate between the areas which can be legislated upon by the National Assembly and the States Houses of Assembly. These are contained in the exclusive and concurrent legislative lists. The National Assembly has exclusive jurisdictional power to legislate on matters included in the exclusive legislative list, to the exclusion of the Houses of Assembly of the states, while both the National Assembly and the Houses of Assembly have legislative powers on those matters contained in the concurrent legislative list. It is apparent from the items on the exclusive legislative list that the federal government enjoys the overwhelming power to legislate virtually on every subject. This is clearly an indication of the federal government dominance at the expense of the states and of course, inimical to the tenet of federalism which the constitution enunciated. There are some significant restrictions on the operation of the political system. In particular, members of the House of Assembly must belong to and be sponsored by a political party while there are rigorous conditions as to the formation; funding and operation of political parties themselves (section 221-226). Sagay (2010) observed

that these may hinder the development of new political players in the country. Besides, the President may address either or both Houses of the National Assembly while a Government Minister “shall attend either House of the National Assembly if invited to explain to the House the conduct of his Ministry” (section 67).

3.4 The Structure and Composition of Nigerian Legislature

The legislative institution in Nigeria adopted the bicameral model at the federal level and unicameral at the state level. The membership in the National Assembly and State Houses of Assembly are constituted through direct election into the office for a renewable term of four years. Any citizen of Nigeria has right to seek election into the federal and state legislatures as long as the person meets the mandatory minimum age of 35 years for the Senate and 30 years for the Federal House of Representatives and State Houses of Assembly as well as satisfying the necessary educational qualification of at least secondary school certificate or its equivalent, and is sponsored by a political party (sections 47-49 and 106, 1999, CFRN).

The House of Representatives (HORs) is made up of three hundred and sixty (360) legislators elected from the 360 federal constituencies to which the 36 states are delineated. The population is the sole criterion for delimiting constituency for elections to the 360 members of HORs in Nigeria. Therefore, as a result of population criterion for constituency delimitation, the distribution of legislative seats, in the HORs among the states is not equal but proportional to the relative population of each state (Chapter V, Part I of the 1999 CFRN). A legislator is expected to represent at least 100,000 based on 1999 constitution. There are disparities in representation; States like Lagos and Kano with high population have higher numbers of representatives than a state like Bayelsa with a low population.

Conversely, equality of state is considered for Nigeria's Senate rather than the population. Section 48 establishes a Senate that represents equality of state, it says: "the Senate shall consist of three Senators from each State and one from Federal Capital Territory (FCT) (CFRN, 1999). The fixed number of seats per state in the Senate makes it an exact replica of the composition of the U.S. Senate where each state is represented by two senators. In Nigeria, each state is represented by three senators irrespective of its size and a senator is elected to represent the Federal Capital Territory (FCT) to ensure the representation of the indigenes of the FCT. Thus, there are 108 senators from 36 states and one (1) from FCT, making a total of 109 senators in the Senate. Section 49 of 1999 constitution does not fix the number of seats per state in the HORs thereby allowing for delineation of constituencies based on population growth or decline, it says: "subject to the provisions of this constitution, the House of Representatives shall consist of three hundred and sixty members representing constituencies of nearly equal population as far as possible, provided that no constituency shall fall within more than one state". Put together, the total number of elected members of the National Assembly in Nigeria is four hundred and sixty-nine (469).

The 1999 Constitution, as amended, made provisions for the leadership of the two chambers (The Senate and the House of Representatives). Each chamber is presided over by a set of leaders elected by members of the National Assembly. In the Senate, there is provision for substantive Senate President who presides over the day-to-day business of the Senate, especially at plenary. Although the president of the Senate is elected to represent just one senatorial district like his/her colleagues in the Senate, once given the mandate as president of the upper chamber, he/she becomes unequal with the other in terms of power, influence, and authority. The President of Senate presides at plenary over the Senate and calls for a vote on the division on any issue

upon which the chamber has deliberated. The Senate President controls and has a firm grip on the agenda of the house. The members must be recognized by the chair in plenary before any contribution could be made. To reduce friction, the members of the various parties hold caucus meetings to harmonize their positions on issues. While the Senate President is presumably strong vis-à-vis other members, his ascendance to the position is at the instance of those he presides over and so accountable to them. The evidence of this could be seen under the current fourth republic particularly in its formative years which was characterized by the Senate Presidents' impeachment and resignation. Any Senate President that disregards the concerns and views of his/her colleagues were either impeached or asked to resign. This was clearly demonstrated when Senate Presidents, Chuba Okadigbo, and Adolphus Wabara were removed from office in 2000 and 2005 respectively. The two leaders were given options to resign, following the discontentment occasioned by the allegation of corruption levied against them. However, while Okadigbo was impeached by his colleagues, Wabara resigned in response to the pressure. The three Senate Presidents (Pius Anyim, Ken Nnamani, and David Mark) who appeared to have had less trouble dealing with other members, and were able to strike balance between executive-legislature relations/interest and leader-members relations/interests in order not to match or fall victim of what former Senate President Ken Nnamani (2005-2007) called banana peel. Thus, between 1999 and 2007, there was leadership instability in the Senate (Fashagba, 2014 p. 115).

The Senate President is assisted by a Deputy Senate President. The Deputy, according to the constitution, shall be elected by the members of the Senate from among themselves. In the absence of the Senate President, the Deputy Senate President presides over the Senate proceedings. Deputy Senate President is also very strong and influential but often lives under the shadow of the President. Any important responsibility that requires setting up a committee, the

Deputy Senate President handles that. This was evident when the Deputy Senate President Ibrahim Mantu was made the chair of the committee on the review of 1999 Constitution in 2005. Similarly, Ike Ekwerenmadu was appointed in 2012 to chair the committee on the review of 1999 constitution. In the absence of both the Senate and Deputy Senate President, any member elected by the Senate can preside over Senate proceedings of the day. Other important positions in the Senate include the Senate Majority Leader and Majority Party Whip who were chosen from party controlling majority seats in the Senate; Minority Leader and Minority Whips were chosen from minority parties in the Senate (Fashagba, 2014).

In the same vein, the House of Representatives is headed by the Speaker who is the presiding officer over legislative sessions. The Speaker is assisted by the Deputy Speaker who takes over as the presiding officer in the absence of the Speaker (s. 53 (b)), 1999 CFRN; s. 26 (1 & 2) of the Standing Rules of the House of Representative). In the absence of both the Speaker and the Deputy Speaker any member elected by the House can preside over legislative proceedings of the day (Standing Rules of the House of Representatives, Chapter IX). In Nigeria, the party that won majority seats in the House constitutes its leadership. However, the minority parties are not totally excluded from the leadership of the House. They are represented by the Minority Leader, Minority Whip and Deputy Whip. The People's Democratic Party (PDP) has been occupying the leadership positions of the House Since the beginning of Nigeria's fourth republic in 29th May 1999 till May 29, 1999, when the opposition party, All Progressive Congress (APC) won majority seats in the National Assembly. Therefore, from 2015 to date APC has assumed the leadership positions of the legislature.

Like the National Assembly, the State Houses of Assembly are also captured in the 1999 Constitution. Chapter V Part II sections 90-91 stated inter-alia: "there shall be a House of

Assembly for each of the States of the Federation. Subject to the provisions of this constitution, a House of Assembly of a State shall consist of three or four times the number of seats which that State has in the House of Representatives divided in a way to reflect, as far as possible, nearly equal population: provided that a House of Assembly of a State shall consist of not less than twenty-four and not more than forty members". Thus, the membership of the State Houses of Assembly is constituted through direct election. Any citizen of Nigeria has right to seek election into the State Houses of Assembly as long as the person meets the mandatory minimum age of 30 years for the Senate and 30 years and also satisfies the necessary educational qualification of at least secondary school certificate or its equivalent, and is sponsored by a political party (section 106, 1999, CFRN). The 1999 constitution, as amended, also made provisions for the leadership of the Houses of Assembly of the federation under the section 92, "there shall be a Speaker and a Deputy Speaker of a House from among themselves". The Speaker of the State House of Assembly presided over the legislative session at any of their sitting and in his absence, the Speaker is assisted by the Deputy Speaker who will preside over the legislative activities in the House. In the absence of both the Speaker and Deputy Speaker of the House, the members will appoint any member of the House to preside (Section 95 (2), 1999, CFRN). In Nigeria, the party that won majority seats in the State Houses of Assembly constitutes its leadership. However, the minority parties are not totally excluded from the leadership positions of the House. The minority parties are represented by the Minority Leader, Minority Whips and Deputy Whips. While the Speaker, Deputy Speaker, Majority Leader and Majority Party Whip was chosen from the party that controls majority seats in the House.

The National Assembly and the Houses of Assembly in Nigeria like other legislatures elsewhere, make use of the committee. There is rarely any legislature where the committee

system is not an integral part of its operative mechanism. The legislative responsibilities of the assembly are assigned to the appropriate committees for thorough scrutiny and detailed attention with a view to helping the house to make informed and appropriate (policy) decision. Indeed, after the second reading of a bill, the bill moves to the committee stage. However, once in a while a situation may arise that would require a committee of the whole house to take a bill at the committee stage. Committees are constituted to oversee government agencies, departments and ministries. The committee helps members to develop expertise, especially where members stay enough on the same committee overseeing the activities of agencies or department over which members exercise oversight power (Fashagba, 2014). In Nigeria, the National Assembly and State Houses of Assembly employed both standing committees and special committees for thoroughness and effectiveness of their legislative businesses. Committee and subcommittees are the units through which Nigerian legislature does most of its tasks. The committees are headed by the Chairmen and assisted by the Vice Chairmen. The prominent among these committees are listed below:

- i. Rules and Business Committee
- ii. Selection and Ranking Committee
- iii. Public Account Committee
- iv. Committee on National Security and Intelligence
- v. Service Committee
- vi. Committee on Ethics, Privileges and Public Petitions
- vii. Committee on Media and Public Affairs. (National Assembly Statistical Information, 2008).

The committees in the National Assembly and State Houses of Assembly may not be able to develop necessary expertise like in some other countries due to:

- i. the high turn-over of members- when new members are elected they will have to learn the job afresh and this robs those who have acquired some experience to facilitate effectiveness in the house and,
- ii. The leadership of the legislature sometimes uses compensatory instrument or patronage to reward loyal supporters rather than merit drove for the placement of members in committees, especially those considered as 'juicy committee'.

3.4.1 The Administrative Structure and Composition of Nigeria's Legislature

The legislature is made up of two categories of personnel: these are elected officials (Politicians) and the administrative personnel (career staff) that are headed by the Clerk. In Nigeria, both the National Assembly and State Houses of Assembly are supported in their day-to-day activities through the administrative structure which has been laid down in various Nigerian constitutions from the colonial era till the current dispensation (fourth republic). For instance, section 51 of the 1999 Constitution describes the details of the administrative arrangement of the National Assembly under the office of the Clerk and other staff. Similarly, section 93 of the 1999 constitution also set out the administrative structure of the State Houses of Assembly. The National Assembly Service Commission Act prescribes the method of the appointment of the Clerk and other staff of the National Assembly. The constitutional provision is effected by the National Assembly Service Commission Act Cap No. 7 (Laws of the Federation of Nigeria (LFN) 2004). Section 7(b) of the Act provides for the offices of:

- i. the Clerk to the National Assembly

- ii. the Deputy Clerk to the National Assembly
- iii. the Clerk of the Senate
- iv. the Clerk of the House of Representatives
- v. the Deputy Clerk of the Senate
- vi. the Deputy Clerk to the House of Representatives
- vii. all other offices in the service of the National Assembly

The second schedule of the National Assembly Service Commission Act provides for the following departments:

- i. Personnel
- ii. Finance and supplies
- iii. Legislative budget and planning
- iv. Library, research, and computer services
- v. Information and publication
- vi. Legal service
- vii. Estate and works

Office of the Clerk to the National Assembly- it handles the administrative and professional affairs of the National Assembly. The staff is accountable to the Clerk as the administrative coordinator of the day-to-day running of the Assembly. The office of the Clerk is the management hub of the Assembly. The internal audit, liaison office, protocol, and sundry are within the sphere of the office of the Clerk to the National Assembly. Section 10 of the

National Service Commission Act, stated that: no person shall 'act' in the office of the clerk for a period exceeding six months, except by resolution of each House of National Assembly. The holder of the office can be removed by a simple majority of each House of National Assembly in line with section 11 of the Act (Anyaeibunam, 2010).

The Personnel Department is responsible for recruitment, appointment, promotion, training, discipline and general welfare of the staff as well as day-to-day administrative activities of the Assembly; Finance and Supplies Department manages the financial matters of the assembly; Legislative Budgeting and Planning Department prepares the annual estimates and financial projections in line with the assembly's set objectives; Library, Research and Computer Service Department studies and scrutinizes the proposals of the legislators in line with reference to the existing laws and prevailing circumstances. It verifies data, authenticates relevant submissions, researches facts and scrutinizes proposals to meet the expectation of the electorate. It is the 'intellectual think tank' of the assembly. This department is neglected in both national and state assemblies in Nigeria and it has been the bane of the credible database for statistical records and national planning; Information and Publication Department is headed by the director of information and publication. This department is responsible for producing daily verbatim reports on the vote and proceedings of the assembly (Hansard) and other official publications; Legal Service Department comprises of the legal drafting, litigation and counseling units. In legal drafting, the political thoughts and proposals of legislators are translated into law. It ensures that the intentions of political sponsors of bills in the assembly conform strictly to the statutory requirements of law-making process and procedures. Contentious legal issues affecting the assembly are usually referred to this department for legal opinion and advice; and lastly, the Estate and Works Department that maintains the buildings, furniture, and transport system of the

assembly. It is the technical unit that manages the assembly's infrastructure and other fixed assets (Anyaegbunam, 2010).

3.5 The Legislative Powers in Nigeria under the 1999 Constitution

Nigeria is operating a presidential system of government which is anchored on the principle of separation of powers. On this note, the 1999 Constitution of the Federal Republic of Nigeria clothed the National Assembly and the state Houses of Assembly with the legislative powers of the federation and that of the states respectively. Hence the provisions of section 4(1) – (5) stipulated that:

(1) The legislative powers of the Federal Republic of Nigeria shall be vested in a National Assembly for the Federation which shall consist of a Senate and a House of Representatives.

(2) The National Assembly shall have the power to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive legislative list set out in part 1 of the second schedule to this constitution.

(3) The power of the National Assembly to make laws for the peace, order and good government of the Federation with respect to any matter included in the exclusive legislative list shall, save as otherwise provided in this Constitution, be to the exclusion of the Houses of Assembly of States.

(4) In addition and without prejudice to the powers conferred by subsection (2) of this section, the National Assembly shall have the power to make laws with respect to the following matters, that is to say:-

(a) any matter in the Concurrent Legislative List set out in the first column of Part II of the Second Schedule to this Constitution to the extent prescribed in the second column opposite thereto; and

(b) any other matter with respect to which it is empowered to make laws in accordance with the provisions of this Constitution.

(5) If any Law enacted by the House of Assembly of a State is inconsistent with any law validly made by the National Assembly, the law made by the National Assembly shall prevail, and that other Law shall, to the extent of the inconsistency, be void.

The state House of Assembly jurisdiction is captured by section 4(6) – (7) in these words:

(6) The legislative powers of a state of the Federation shall be vested in the House of Assembly of the state.

(7) The House of Assembly of a state shall have the power to make laws for the peace, order and good government of the state or any part thereof with respect to the following matters, that is to say.

(a) any matter not included in the exclusive legislative List set out in part I of the second schedule to this constitution;

(b) any matter included in the concurrent legislative list set out in the first column of part II of the second schedule to this constitution to the extent prescribed in the second column opposite thereto; and

(c) any other matter with respect to which it is empowered to make laws in accordance with the provisions of this Constitution.

The constitution has clearly set the scope and limitation of the lawmaking powers allocated to both the National Assembly and State Houses of Assembly. Thus, the 68 item exclusive legislative list was the preserve of the National Assembly and the 30 items concurrent legislative list belong to both the National Assembly and the State Houses of Assembly. In the case of conflict, the federal legislation shall prevail and the state law becomes void to the extent of its inconsistency as stipulated by section 4 (5) of the constitution. This enumerated list guides the lawmaking competence of each, tier, while un-enumerated items are naturally left for the states.

3.6 Legislative Process and Procedure

The constitution specifically set out the mode of enactment of Act of the National Assembly and law of the state Houses of Assembly. It goes further to empower both tiers of the legislature to provide their own guideline and procedure for legislation. Hence, the provision of section 58 (1) that:

The power of the National Assembly to make laws shall be exercised by bills passed by both the Senate and the House of Representatives and, except as otherwise provided by subsection (5) of this section, assented to by the president.

The legislative power of the state House of Assembly under this subject matter is covered by section 100(1) of the constitution. The presumed independence of this arm of government in regulation and conduct of its affairs as attested to by the various legislative houses standing orders and rules of Business/procedure is highlighted by section 60 of the constitution that:

Subject to the provisions of this constitution, the Senate or the House of Representatives shall have the power to regulate its own procedure, including the procedure for summoning and recess

of the House. In a similar tone, section 101 endorsed same for the regulation and procedure of the state Houses of Assembly. Order XII Rule 3 (1) of the standing orders of the House of Representatives set out the procedural schedule thus:

Every bill shall receive three readings previous to its passage, which readings shall be in three different days unless the House unanimously directs otherwise and the Speaker shall give notice at each reading whether it is first, second or third.

The passage of bill process is as follows:

- i. First Reading- This stage is merely the formal declaration or introduction of the short title of the Bill. Hence, as provided by order XII Rule 2 (1) (6) of the House of representatives: Upon the short title of the bill being read aloud by the clerk, the bill shall be deemed to have been read the first time. This practice was prevalent in England when most of the members were illiterates. Currently, a member introducing the bill will either present it at the Table of parliament or, more rarely move for leave to introduce the bill. The printed copy of the bill is distributed to legislators together with an 'explanatory memorandum' which describes the effects of each provision; there is no debate at this stage. Unlike the old practice, the clerk is merely required to read out the title of the bill only. This might have given the members opportunity of going through a bill before its presentation in parliament (Hamalai, 2010).
- ii. Second Reading- The bill after the first reading, will be scheduled for the second reading by the Rules and Business committee. The second reading gives the members the ample opportunity to deliberate on the general principles of a bill (its merits and demerits). In this wise, the legislators can then decide to approve or reject the bill. As revealed

by order XII Rule 4(1) of the House of Representatives: “On the order for the second reading of a bill being read, a motion may be made ‘that the bill be now read a second time’ and a debate may arise covering the general merits and principles of the bill”. Thus, the second reading determines whether a bill will be defeated or will move forward for further consideration. The limitation at this stage is that the desirability or otherwise of the legislative proposal is based on its general principles (merits of the policy behind it) and not the consideration of details of the bills (Hamalai, 2010). If a bill successfully passes through the second reading stage, it proceeds to committee stage.

- iii. Committee Stage- After the second reading bills are referred to appropriate standing committees for thorough scrutiny. The committee stage is a critical stage in the life of a bill. It involves a close consideration of the details provisions of a bill. At this stage, the bills are subjected to clause-by-clause, line-by-line, and word-by-word examination. The procedure of a committee is regulated by the rules of the parliament. This may include far-reaching deliberations, public hearing and the contribution of experts on the subject matter of that proposed law. Amendment to a bill is proposed, debated upon and made if acceptable to a majority of the committee's members. This is a stage where the heaviest lobbying could be done on a legislative proposal. This is because it is not easy to override committees' report which may take any of these forms: (i) favourably in its original form; (ii) favourably with amendment; (iii) favourably with substitution (the bill changed and/or re-written); or (iv) unfavourably.
- iv. The Report Stage- The standing committee that treated and deliberate on the bill, will through the Business and Rules committee, state a date to present its findings to the House. The chairman of that standing committee will report the bill to the House.

- v. Committee of the whole House- At this stage, the presiding officer of the House will leave the chair and take the seat of the clerk. The clerk, in turn, will take the place of one of his assistants. The mace will be lowered and the presiding officer will be referred to as chairman. The chairman shall call the number of every clause in succession or the first and last number of a group of clauses. If there are proposed amendments, he shall put forward the question.
- vi. Third Reading- After a bill has been reported to the committee of the whole House, it will proceed to the third reading. There can be room at this stage, for correction and amendment if there are errors or oversights highlighted in course of the journey of the bill the motion will then be moved that the bill is read the 'third time'. The question will be without debate and if supported by the requisite number of members, the presiding officer will then call upon the clerk to read aloud the long title of the bill. The presiding officer will also repeat the long title of the bill and declare the bill read the third time and passed.
- vii. Engrossment of a Bill- Engrossment involves the production of a final 'clean copy' of a bill, by the legal department after the embodiment of all amendments agreed to by legislators. The bill will be drawn up in the proper legal drafting format and sealed with an authenticated certificate endorsed by the clerk of the House. Thereafter, the bill will be presented to the chief executive (president or governor of a state) for his assent or otherwise.

CHAPTER FOUR

RESEARCH METHODOLOGY

4.1 Introduction

Methodology could be regarded as a process of systematic inquiry by which we increase our knowledge of how things are, the way they are and how they might be changed. It is a rigorous and systematic investigation of an issue or phenomenon aimed at learning new facts and testing scientific propositions and ideas. To this end, Hornby (2000) defined methodology as the set of principles that are used during the research work. It has to do with procedures or techniques of investigation. Thus, the roles of methodology are to describe and analyse the approaches or methods employed in a research and also to throw light on their limitations. Therefore, the goal of this chapter is to discuss and justify the research method adopted to answer the research questions raised in Chapter one of this study and also to shed light on the limitations of the method adopted. In order to do this, this chapter is divided into four sections. The first section explains the purpose and nature of the study. It also introduces the research design, the sources of data, sample and sampling technique, instrument for data collection. The second section discusses the data collection procedures and ethical considerations. The procedures for data gathering and method of data analysis are presented in the third section. The final section discusses the strength and limitations of the methodology which is followed by a discussion on the reliability and validity of the method.

4.2 Research Design

Survey research design was used to seek information on the causes and effects of high membership turnover on legislative performance particularly on their primary responsibilities of

lawmaking, oversight functions, and representation/constituency services. This was rated in the structure interview questions with key actors in the legislative activities as follows: low performance, moderate performance and high performance.

4.3 Population and Sample Size

Population is the yardstick employed to determine the category of the people to be involved in the study. The target populations in this study are actors in the legislative activities. Sampling choice is very narrow because it is restricted to the former and present legislators of the Kogi and Osun State Assemblies from (1999 - 2015), and the legislative staff in the Kogi and Osun State Assemblies. The population of the study is as follows:

i. Past and present Honorable Members of the Kogi State House of Assembly: -	100
ii. Legislative Staff of the Kogi State House of Assembly: -	102
Total target population in Kogi State House of Assembly	<u>202</u>
iii. Past and present Honorable Members of the Osun State House of Assembly: -	104
i. Legislative Staff of the Osun State House of Assembly: -	112
Total population of the study in Osun State House of Assembly	<u>216</u>
Total target population of study in Kogi and Osun State Assemblies	<u>(418)</u>

In line with Leedy (2005), 20 percent of a population is representative enough to infer accurately of a wider population. Therefore, deducing from the total target population in Kogi State (202), the sample size in Kogi state is 40 (i.e. 20 percent of the total target population in Kogi State). The total target population in Osun State is 216, the sample size in Osun State is 43 (i.e. 20

percent of the total target population in Osun State). Thus, the sample size of this study is 83 i.e. 20 percent of 418 (the total target population of study in Kogi and Osun State).

4.4 Sample and Sampling Technique

The method used in selecting respondents for this study is purposive sampling technique. The choice of purposive sampling technique in this research is predicated upon the fact that the primary data required for this study can only be provided by the legislators and their support staff that are well informed and possess adequate knowledge of the subject matter of the study. This necessitates the selection of legislators and their support staff.

4.5 Research Instrument

The instrument used to collect data in this research work was researcher self-designed interview/ questionnaire titled: *“Legislative Membership Turnover and Performance index in Kogi and Osun States, Nigeria”*. The interview/questionnaire was divided into four sections. Each of the sections addressed a specific segment of the study. The first section solicited information on socio-demographic characteristics of the respondents such as Name, age, gender, educational attainment, occupation, marital status and political party affiliation of the respondents. The second section asked questions on the causes of membership turnover. The third section focused on the effects of membership turnover on legislative performance in Kogi and Osun State Assemblies. The fourth section solicited for data on the cost implications of high membership turnover on the finance of Kogi and Osun State Assemblies. The in-depth structure questions, in like manner, covered the themes of this study as contained in the research objectives.

4.6 Reliability and Validity of the Instrument

A measuring instrument is said to be valid when it measures truly and accurately what it claims to measure. The interview/questionnaire was prepared and given to both the main supervisor and the co-supervisor. It was also sent to two experts in legislative studies for comments and criticisms, which were taken into consideration. Their amendments were incorporated into the final version of the research instrument.

4.7 Method of Data Collection

Data for this study were gathered from primary and secondary sources. Primary data were sourced through survey research method. This involved the administration of a questionnaire on 83 respondents (40 respondents in Kogi State and 43 respondents in Osun State). In Kogi State, 36 respondents completed and returned their questionnaire for analysis, while 41 respondents filled and returned the questionnaire for analysis in Osun State. The performance rating questionnaire was employed to measure the effect of high membership turnover on oversight and constituency responsibility in the two states. This was complemented with an interview of some former and present legislators and legislative staff in Kogi and Osun states. Specifically, thirteen people were interviewed in Kogi State. The thirteen people include two former legislators; six present legislators and five legislative staff. Ten people were interviewed in Osun State (one former legislator; six present legislators and three legislative staff). The interviews were conducted with the aid of a tape recorder. Interview method adopted provided a platform for in-depth probing into salient issues that are relevant to the study. Most researchers assert that in face-to-face interviews, any oblique answer can be detected through the respondent's behaviour, body language, manner, emotion or any other indication/ reflection (Denzin & Lincoln 2000).

Interviews also enable the respondents to give more insight into the issues under study and fill in the gaps in the literature. Moreover, this method has been used in similar studies (Samuel, 2013; Simbine-Okoosi 2010; Fasagba 2009 and Lafenwa, 2006). The researcher also observed and documented the proceedings of the current Houses of Assembly of the two States (Kogi and Osun). This avails the researcher with first-hand information on the quality of debates and participation of Ranking and non-Ranking (experienced and non-experienced) members in the legislative sittings of the two Houses of Assembly under consideration.

The secondary data, on the other hand, were generated from the official documents of the National Institute of Legislative Studies (NILS), National Assembly Abuja and the official documents of Kogi and Osun States Assemblies which include Compendiums, legislative Hansards, and Committees' Reports among others. Quantitative data on the membership turnover, number of public laws enacted were also gathered. We complemented these with legislative journals, textbooks, unpublished theses, seminar paper presentations, newspapers, the internet materials and all other processed data so as to validate or reject certain claims in primary data and other literature. The information retrieved from these two main sources of data collection (Primary and Secondary) help us to know the causes and effects of membership turnover on legislative performance in Kogi and Osun States Assembly in particular and Nigerian National Assembly at large.

4.8 Data Analysis Techniques

Content analysis and descriptive statistics (simple percentage) were considered appropriate to analyze the qualitative and quantitative data retrieved from both the primary and secondary sources. The content analysis was used to explain the causes of membership turnover

in Kogi and Osun states, while the descriptive statistics (simple percentage) was employed to present the effects of membership turnover on legislative performance in Kogi and Osun States which was basically assessed on the primary responsibilities of legislators: lawmaking, oversight, representation and constituency services.

Content analysis approach is bifurcated into two: qualitative content analysis through extensive literature review, and textual analysis with table illustrations. Holsti (1969) defines textual analysis as “any technique for making inferences by objectively and systematically identifying specified characteristics of messages”. It involves the reading, prognosis, critique, drawing conclusions from and discussion of every relevant information gathered from the two main sources of data collection identified above. In other words, this approach deals with a critical analysis of some primary and secondary data collected. The danger of content analysis, however, is that decoding human statements might be difficult which may lead to wrong inferences and by extension baseless value judgments in the analysis. Hence cross-examination of evidence or facts from a pool of sources becomes necessary to avoid this pitfall.

Historical analysis from literature also formed part of the background information of this study. The historical account of the research involves investigation, recording and analyzing past events as they relate to membership turnover and legislative performance in Nigeria.

The study examines Kogi and Osun States Assembly in a chronological order (1999-2003; 2003-2007; 2007-2011 and 2011-2015). The historical analysis involves interpretation of the records in such a way that conclusions reached would amount to an interpretation or re-interpretation of what have been the causes and effects of membership turnover and legislative performance in Kogi and Osun State Assembly since 1999 till 2015. The historical method has the following problem- a possible reproduction of distorted facts or dearth of substantial

information covering certain periods. However, the historical method cannot be ignored in a research like this.

4.9 Rationale for Selecting Kogi and Osun State Assemblies as the Case Study

It is considered unrealistic to attempt to cover all the state Assemblies in Nigeria under this research. Thus, this explains the rationale behind the selection of one state each from two distinct geopolitical zones of the country. Kogi State House of Assembly was chosen from the North Central geopolitical zone and Kogi State Assembly has the highest membership turnover rate from the zone. Osun state was also selected from the south western geopolitical zone and this state has the second highest membership turnover rate closely followed the Ekiti State Assembly that has the highest membership turnover rate in the southwestern zone. These two state Assemblies (Kogi and Osun) were selected because of their comparable features. For examples, Kogi and the Osun States were created on August 27, 1991; both States have their first Assembly in 1992 – 1993 during the aborted Third Republic. Kogi and Osun state assemblies were equally controlled by the opposition parties in 1999 – 2003, All Peoples Party (APP) and Alliance for Democracy (AD) respectively. In 2003 - 2007, both states were controlled by the ruling party, Peoples Democratic Party (PDP). In 2007 – 2011, Kogi State was controlled by the ruling party, People Democratic Party (PDP). Osun state was also controlled by the ruling party, People Democratic Party (PDP) from 2007 to November 26, 2010, when the State was taken over by the opposition party, Action Congress of Nigeria (ACN) after the gubernatorial election that brought former governor of Osun State, Prince Olagunsoye Oyinlola of People Democratic Party (PDP) into power was nullified by the election tribunal on November 26, 2010. Currently, Kogi and Osun state assemblies are controlled by the ruling party, All Peoples Congress (APC).

All these comparable indices made the two states suitable for this study. The time scope of this research is sixteen years, beginning from 1999 to 2015.

4.10 Ethical Consideration

The research approach and interviews were subjected to approval by the Research Ethics Committee (RETH), Kwara State University. As advised by the ethics committee, extra precautions need to be taken when interviews are conducted. The interviewees are asked to leave any question that they are not comfortable with. A written statement of confidentiality and privacy was also provided to all of them, along with the purpose of the study; and the right of withdrawing anytime was made clear to the respondents, both through the informed consent form and through clarification by the researcher. In terms of protecting the individual from any adverse consequences of participating in the interview (Black 2002), the researcher allowed responses to be submitted anonymously. In the case of administrative/support staff and some representatives, as requested by the respondents, off the record comments have been extracted separately to keep the confidentiality of the interviewee.

However, in qualitative research, maintaining ethics is not just about maintaining confidentiality and anonymity of the objects (here interviewees): recognising and taking into account the reflexivity and positionality of the subject (here, the researcher) is also equally important (Sultana 2007; Nagar 2003; Robertson 2002). Reflexivity in research entails reflection of self in the research process and in data collection and interpretation. Being reflexive is significant in situating the research and knowledge assembly so that ethical commitments can be sustained (Sultana 2007; Nagar 2003). On the other hand, positionality is a key component of

self- critique, which is premised on the specification of the identity of the researcher in different cultural environments (Robertson, 2002).

CHAPTER FIVE

TURNOVER RATES AND LEGISLATIVE PERFORMANCE IN KOGI STATE

5.1 Introduction

This chapter examines the relationship between membership turnover and legislative performance in Kogi State from 1999 to 2015. The preceding chapters review some of the conceptual issues, theoretical, major perspectives, and conclusions on how membership turnover influence the performance of legislatures. From the empirical point of view, therefore, how does the membership turnover influence the performance of the Kogi state legislators? The establishment of the legislature at the state level, according to section 90 of the 1999 Constitution of the Federal Republic of Nigeria is aimed at decentralizing democratic values to other tiers of government. The framer of the 1999 Constitution took to account the need for lawmaking, oversight, and representation at the state level. This is in order to address peculiar governance challenges at the level of society other than the Centre.

Like the National Assembly at the central level of Nigeria's federation, the state legislatures also perform functions similar to a bicameral legislature in some restricted areas. Sections 91, 92 and 93 of the 1999 Constitution stipulate the compositions, functions, powers, and staffing of the state legislature in Nigeria. Hence, state legislatures in Nigeria operate and function within some specified constitutional provisions. However, the state legislatures perform the traditional functions of law-making, oversight, and representation within its areas of constitutional jurisdiction. In essence, legislative performance could be measured on the basis of the number and quality of the laws they make, the extent to which they hold government officials

accountable for their actions and inactions and more importantly the quality of representation they offer to the electorate. To perform these functions effectively and efficiently, the legislators need experience and required capacity. This is explained in the context of members' expertise acquired mainly through a long period of legislative service (legislative career) and superior legislative staff and resources, which makes the institution assertive on legislation and policy issues.

Ranking or experienced legislators have high prospects of overseeing governmental activities by checking the excesses of various governmental Ministries, Departments, and Agencies. Moreover, legislative organizations whose members consider their service as a career also have the tendency of delivering particularistic 'goods' to their constituents in addition to making informed input on constituents and state issues. The important questions here are: In what ways do turnover in Kogi state House of Assembly affect legislative performance? Does the number of bills passed from 1999-2015 influenced by the existence of ranking members of the House (experienced legislators)? Does the presence of ranking members enhance the autonomy of the legislature and finally do high numbers of ranking members make the legislature effective on its power of investigations (oversights) and efficient in Constituency service? These and other issues like causes and financial implications of high membership on the House finance in Kogi State are the focus of this chapter.

To achieve these objectives this chapter is divided into seven sections. This introductory section is followed by the history of Kogi State and the development of Kogi State House of Assembly. Section three discusses the structural composition of Kogi State House of Assembly and the education, demographic profile and socio-economic status of members of Kogi State legislature. Section four examines the rates of turnover in the Kogi State House of Assembly.

The fifth section examines the effects of turnover on the principal roles of the legislature: law-making; oversight and representative functions. The sixth section examines the various causes of high membership turnover in Kogi State House of Assembly. The seventh section discusses the financial implications of high membership turnover on House budget in Kogi State.

5.2 The History of Kogi State -

Kogi State as it is known today was a product of the continuous process of administrative adjustment and political re-structuring of Nigerian federating units. It will be recalled that after - independence in 1960, the administrative structure of Nigerian federalism has changed significantly from three regions to thirty-six states and a federal capital today. It was under this process that Kogi State was created out of Kwara and Benue states on 27th August 1991, under the thirty-state structure of the then regime of General Ibrahim Badamasi Babangida, in a way similar to the defunct Kabba Province. The Kabba Province was, with the creation of twelve states in 1967, under the old Kwara state. However, following the creation of the nineteen-state structure in 1976, a division polarized Kabba Province, keeping the Okun and Ebira in Kwara State, and merged the Igala and others across the river with Benue state. In 1991, however, when Kogi State was created under the thirty-state structure, there was a reunification of sorts, such that the composition of the state was coterminous with the defunct Kabba Province. The Okun and Ebira of Kwara State were carved out and merged with the Igala and others across the river to form Kogi State (Omotola, 2008).

Kogi state is located in the heart of Nigeria, or what is historically referred to as the Middle Belt of the country. Currently, Kogi is one of the states in the North-Central geo-political zone and its capital is located on the confluence of Rivers Niger and Benue at Lokoja on Latitude

6° 44' North and Longitude 7° 44' East. It has a land mass of 29,833 square kilometers with a population of 3,314,043 according to 2006 population census. There are three main ethnic groups in the state who, interestingly, dominate each of the three senatorial districts. The eastern part of the state is mainly populated by Igala/Bassa people. The Igala people, not only monopolized the highest political office in the state but also have been producing Governor since inception; while the Ebiras hold sway in Kogi Central with a minority group known as Ebira-Koto; and the Western Senatorial district is dominated by the Okun, the Yoruba speaking people, with Oworo, Ogori-Magongo, and Nupe people as minorities (Yusuf, 2006; Omotola, 2008; Michael, 2013). Other minorities include Kakanda, Kupa, Gwari etc.

There are eight (8) languages spoken as the first language in Kogi State. Ebira, Igala, Nupe, and Yoruba are major languages. The other languages are minority languages. Kogi state shares common boundaries with Niger, Kwara, Nassarawa and The Federal Capital Territory to the North. To the East, the state is bounded by Benue state, to the South by Enugu and Anambra states, and to the West by Ondo, Ekiti and Edo states. Kogi State is popularly called the confluence state due to the fact that the confluence of Rivers Niger and Benue meets there.

The majority of the people of the state are farmers. The State is blessed with suitable ecological and climatic conditions. It is, therefore, possible to produce various agricultural products including yam, cassava, soya bean, cocoyam, maize, millet, rice, guinea corn, palm produce, cowpea, and others. The State's rich agricultural endowment is reflected in its capacity to produce cash crops like cocoa, coffee, and cashew.

The state is also rich in minerals resources, the most notable being huge deposits of iron ore at Ajaokuta in the Central Senatorial District (where the Iron and Steel Company is located), and limestone at Obajana in the Western Senatorial District, which is the fuel of what is currently

considered the largest cement industry in Africa under control of the Dangote Group of Companies. Other minerals resources include mica, marble, coal, crude oil, gold, kaolin, cassiterite, columbite, tantalite, feldspar, and dolomite.

Industrially, Kogi State is an investors' haven, the state has a number of Industrial ventures which include Ajaokuta Iron and Steel complex, Jakura Marble, Valley Food, Mopa Okura Sawmill, Idah Ceramic Company, Oil palm Company, Nigeria Iron-Ore Manufacturing Company. The state is richly endowed with tourist attractions and has no less than twenty-three tourist centres concentrated in the state. Important festivals in Kogi state include the nationally acclaimed Ovia festival among the Ogori and Mangogo people. Tourist attractions such as Lord Lugard's residence and office can be seen in Lokoja. There is also the spot where the Royal Niger Company flag was lowered in 1890, the iron of liberty - the spot where slaves were freed in 1860. The biggest European cemetery in Nigeria containing the remains of the European soldiers of the West African Frontier Force (WAFF) stationed in Lokoja until 1926 and those of European missionaries. Some of the tombstones in the cemeteries date as far back as 1867.

There is also the World War cenotaph-this is a war memorial erected in memory of the soldiers who died during the two world wars. There is a list of names of some soldiers who distinguished themselves in the wars on a table. Niger-Benue confluence - This forms a beautiful scenery visible either from a boat traveling southward on the river or from the top of Mount Patti.

5.3.1 The Kogi State House of Assembly: Structure and Composition

Kogi State House of Assembly, as provided for in section 92 of the 1999 Constitution of the Federal Republic of Nigeria (CFRN) as amended, is led by the Speaker and his Deputy " who

shall be elected by the members of the House from among themselves" (1999 Amended CFRN). Other House leaders elected by the parties represented include the Chief Whip, Majority and Minority leaders and their Deputies. The Clerk of the House, who is appointed by the Governor, is the secretary of the House as well as the head of the non-legislative administrative staff (S. 3 of 1999 Amended CFRN). The Sergeant-at-Arms is another important pillar of the Kogi State Assembly who attended the sittings and maintains order subject to the instructions of the Speaker/Chairman; he is the Chief Security Officer of the House. The twenty-five members of the Kogi State House of Assembly are elected on the basis of their local government constituencies.

Members are constitutionally permitted to set down their House rules known as the Standing Orders on regulations of the procedure of the House, a number of committees and term of office, quorum, adjournment, recess as well as vacancy vis-à-vis the validity of its proceedings (1999 CFRN). As a unicameral assembly, the Kogi State House of Assembly comprises two types of committees, that is the Regular and Complementary Committees. The Regular Committees are sub-divided into three: the Standing/General Committees under which are the All Ministry-related issues and Committee of the Whole House; the Financial Committee which is further sub-divided into the Appropriation, Public Accounts, Finance, and Anti-Corruption Committees; and finally Institution/Machinery Committees comprising of Selection, Rules/Business, Privileges/Ethics, Public Relations, House Service and Principal Officers Committee. Complementary committees are also known as ad-hoc, special or Sub-Committees which are dissolved after the completion of their assignment. Most decisions are first deliberated at committee levels and finally presented to the general house for approval while others like the

budget are first presented directly to the general house before being deliberated at the committee for the second reading before the final reading and approval by the whole house.

The twenty-five members of the Kogi State House of Assembly are divided into committees to enable a sound and prompt response to the request sent to the House for deliberation, ratification, confirmation and so on. Perhaps, it is in the light of this that Heywood (2007 p. 346) argued that Committees are powerhouses of the assembly, the very hub of the legislative process; whereas parliamentary chambers are for talking, committees are for working. Heywood (2007) stated further, that Congressional government in session is Congress in public exhibition. Congress in its committee room is Congress at work. Therefore, it is arguably to say that an assembly can be judged by the strength of its committee. Thus, the Committee may be regular or ad-hoc, the Regular Committee in Kogi State House of Assembly is those that scrutinize government and oversee the exercise of governance, in most cases ad-hoc committees are set up when issues of social concern call for it. For instance in times of crises or emergencies or when there is governance gridlock among the various arms or sectors of government necessitating intervention and resolution. Kogi State House of Assembly being within a Federal unit adopting the presidential system of government, the committees have some measure of independence, in that they can summon the Governor, Commissioners, Head of parastatals, public officers, certain records or documents before them or require explanations for the occurrence or non-occurrence of certain events. However, Committees do not have the mandate to take decisions on behalf of the House; it can only make recommendations which are debated upon before approval. Kogi State House of Assemblies and most of the other House of Assemblies in Nigeria are not policy-making assemblies but rather executive dominated assemblies that merely approve executive decisions (see Oni, 2013; Fashagba, 2009; Lafenwa,

2006). Most policies and legislation are initiated by the executive as will be seen later in the study.

The Kogi State House of Assembly was, in 1999, established in accordance with sections 90 and 91 of the constitution. The Kogi State legislature is composed of twenty-five (25) members representing different state constituencies. The twenty-five constituencies emerged based on the population strength of the state and other requirements that are clearly stated in section 91 of the 1999 Constitution of the Federal Republic of Nigeria (CFRN, 1999), which state thus:

Subject to the provision of this constitution, a House of Assembly of a state shall consist of three or four times the number of seats which that state has in the House of Representatives divided in a way to reflect, as far as possible, nearly equal population. Provided that a House of a state shall consist of not less than twenty-four and not more than forty-four members

The membership of the House represents 21 Local Governments Area across the state. Four out of the twenty-one local governments have two constituencies each, while the remaining seventeen local governments constitute one constituency each. Two major political parties, All People's Party (APP) and People Democratic Party (PDP) won all the seats in the Kogi State House of Assembly of 1999. The distribution of seats to the two political parties, APP and PDP shows that APP, which also won the Governorship election that brought in late Prince Audu Abubakar as the Kogi State Governor had the majority members in the Kogi State Assembly. Therefore, as a result of the numerical strength of the APP in the House, the APP produced the leadership of the House. The Speaker, Deputy Speaker, Majority leader among others. However, the opposition party, PDP which was the minority party in the House between 1999 and 2003 produced minority leader, which also form part of the leadership structure of the House.

The Kogi State House of Assembly like other state legislatures across the country lacked experience legislators that are better informed and equipped with necessary legislative skills and knowledge to function effectively and efficiently as an autonomous organ of government. This is because all the twenty-five members of the Kogi State House of Assembly in 1999 were new; nobody among them has previous legislative experience that is needed to hit the ground running.

5.3.2 Education, Demographic Profile and Socio-Economic status of Kogi State House of Assembly Members

The education, demographic profile, and socio-economic status of Kogi State legislators from 1999-2015 is worthy of discussion, the indicators used in examining this socioeconomic status, education, and demographic profile include the level of education attainment, cognate experience, gender distribution and party platforms of the legislators. The educational attainment and their previous experience either in private or public sector have a considerable bearing on the capacity of legislators to understand and appreciate how it affects the performance of their constitutional roles as lawmakers. In view of this, the tables 9, 10, and 11 show distribution of educational qualification; cognate experience; and party affiliation of Members of Kogi State House of Assembly respectively from 1999-2015 as follow:

Table 9: Educational Qualification of Kogi State House of Assembly Members

Qualification/Periods	2nd Assembly, 1999 – 2003	3rd Assembly, 2003 – 2007	4th Assembly, 2007 - 2011	5th Assembly, 2011 – 2015
Higher Degree	01(4%)	05 (20%)	03 (12%)	07 (28%)
Degree/HND	11 (44%)	09 (36%)	13 (52%)	09 (36%)
Diploma/NCE	07 (28%)	08 (32%)	07 (28%)	01 (4%)
Secondary	Nil	01 (4%)	01 (4%)	01 (4%)
Unavailable Record	06 (24%)	02 (8%)	01 (4%)	07 (28%)
Total	25 (100%)	25 (100%)	25 (100%)	25 (100%)

Source: Researcher's Compilation from the official Documents of Kogi State House of Assembly and NILS, Abuja

Table 10: Cognate Experience of Kogi State Legislative Members

Cognate Experience/Periods	3rd Assembly, 2003 – 2007	4th Assembly, 2007 – 2011	5th Assembly, 2011 – 2015
Professional	05 (20%)	04 (16%)	01 (4%)
Civil Servant/Teacher	03 (12%)	13 (52%)	08 (32%)
Business/Self-employed	02 (8%)	07 (28%)	03 (12%)
Politician	01 (4%)	Nil	12 (48%)
Unavailable Record	14 (56%)	01 (4%)	01 (4%)
Total	25 (100%)	25 (100%)	25 (100%)

Source: Researcher's Compilation from the official Documents of Kogi State House of Assembly and NILS, Abuja

Table 11: Composition and Party Affiliation of Members of Kogi State House of Assembly

Period	Ruling Party	Opposition Party(ies)	Total
1999-2003	19 Seats (76%) ANPP	6 Seats (24%) PDP	25 Seats
2003-2007	25 Seats (100%) PDP	Nil	25 Seats
2007-2011	21 Seats (84%) PDP	3 Seats (12%) AC; 1 Seat (4%) ANPP	25 Seats
2011-2015	21 Seats (84%) PDP	4 Seats (16%) ANPP	25 Seats

Source: Researcher's Compilation from the official Documents of Kogi State House of Assembly and NILS, Abuja

To start with, the members of the 2nd legislature (1999-2003) in Kogi State comprised the mixture of legislators with higher degree, degree or its equivalent, and diploma/ Nigerian Certificate of Education (NCE). Out of the twenty-five legislators of the 2nd Assembly in Kogi State, one legislator (4 percent) had a higher degree, eleven legislators (44 percent) had a university degree and its equivalent, and seven legislators (28 percent) were either holder of diploma or NCE. The qualifications of the remaining six legislators (24 percent) were unknown (Nigerian state assemblies: A study of legislative activities, 2007). In term of gender representation, the 2nd legislature (1999-2003) in Kogi State comprised only male legislators as no single female was elected a member. There was no record for the profession of members in the Kogi State 2nd Assembly. The political party affiliation of the 2nd Assembly's members in Kogi State, out of the twenty-five elected legislators, nineteen legislators (76 percent) were members of All Nigerian Peoples Party (ANPP) while the remaining six legislators (24 percent) were members of People Democratic Party (PDP). By this, it means that the leadership positions of the House were occupied by the ANPP members except for the office of the minority leader, which

by procedure and standing rule of the legislature is left for the minority party, was occupied by a member of the opposition party (PDP).

The 3rd legislature (2003-2007) in Kogi State also had twenty-five elected members out of which five legislators (20 percent) had higher degree, nine legislators (36 percent) had university degree and its equivalent, eight legislators (32 percent) were either holder of diploma or NCE, and one legislator (4 percent) had secondary school certificate. The qualifications of the remaining two legislators (8 percent) were unknown. On gender representation, just like the 2nd legislature, the 3rd legislature in Kogi State did not have any female member, all the twenty-five elected legislators were male. In terms of professional distributions of members in the Kogi State 3rd legislature, out of the twenty-five elected legislators, information of eleven members (44 percent) was available and the record of remaining fourteen members (56 percent) was not available as at the time of this study. Therefore, out of the eleven members that had information on their profession, five legislators (45 percent) were Professionals (three Accountants, one Lawyer and one Surveyor), three legislators (27 percent) had background in either civil service or teaching, and two legislators (18 percent) were into private business while the remaining one legislator (9 percent) claimed to have background in politics. As regards the political party affiliation of the 3rd Assembly's members in Kogi State, all the twenty-five elected legislators (100 percent) were members of the People Democratic Party (PDP). By this, it means that all the leadership positions of the House were occupied by the PDP members. There was no opposition party member in the House to check the excesses of both the legislature and the executive in Kogi State between 2003 and 2007.

In the Kogi State 4th House of Assembly (2007-2011), the educational qualification of the twenty-five elected legislators was distributed thus, three legislators (12 percent) had higher

degree i.e. master's degree holder, thirteen legislators (52 percent) had university degree and its equivalent, seven legislators were holder of either diploma or NCE, and one legislator (4 percent) had secondary school certificate while the educational qualification of the remaining one legislator (4 percent) was not available. In term of gender representation, the trend of the previous two assemblies (2nd and 3rd) was fully repeated, as no single female was elected among the twenty-five legislators. This was indeed an erosion of the prospect for female representation in the political process. As regards the professional distribution of members, out of the twenty-five elected lawmakers, four legislators (16 percent) were Lawyers, thirteen legislators (52 percent) had background in civil service or teaching, and seven legislators (28 percent) were Businessmen/Self-employed. The profession of the remaining one legislator (4 percent) was not known. In term of political party affiliation of the 4th Assembly's members in Kogi State, the House was dominated by PDP with twenty-one legislators (84 percent) out of the twenty-five elected members, Action Congress (AC) had three legislators (12 percent), and the remaining one legislator (4 percent) was ANPP member. The sharing of the positions of legislative principal officers reflected the strength of parties in the assembly.

The 5th legislature (2011-2015) in Kogi State had twenty-five elected legislators out of which seven legislators (28 percent) had higher degree (master's degree holder), nine legislators (36 percent) had university degree and its equivalent, one legislator (4 percent) was a holder of diploma, and one legislator (4 percent) had secondary school certificate. The educational qualification record of the remaining seven legislators (28 percent) was not available. In term of gender representation, the 5th legislature had one female legislator (4 percent) and the remaining twenty-four legislators (96 percent) were male. This was the first time that Kogi State legislature recorded a female member, Habibat Muhammed Deen who represented Ankpa I state

constituency in the House. As regards the professional distribution of members, one legislator (4 percent) was a lawyer out of the twenty-five elected lawmakers, eight legislators (32 percent) had background in civil service or teaching, three legislators (12 percent) were Businessmen/Self-employed, and twelve legislators (48 percent) were into politics as profession before they became lawmakers. The profession of the remaining one legislator (4 percent) was not known. In term of political party affiliation of the 5th Assembly's members in Kogi State, just like 4th legislature in Kogi State, the House was dominated by PDP with twenty-one legislators (84 percent) and the remaining four legislators (16 percent) were ANPP members. therefore, PDP members once again occupied all the leadership positions except the position of the minority leader of the House which was held by opposition party (ANPP) member.

5.4 Turnover Rates in Kogi State House of Assembly

The simplest method to measure legislative turnover is by subtracting the number of re-elected members from the total members in the House immediately after a general election. The turnover rate is the proportion of legislators who fail to secure re-election to be part of the subsequent assembly while the retention rate is the proportion of members who secure re-election into the subsequent legislature. This method does not account for the membership turnover as a result of death or tribunal defeat that may warrant legislators' replacement within the session.

Conceptually, legislative turnover is defined as the proportion of new members out of the total membership in a legislative chamber. Unless the size of the chamber has been changed, the number of new members is equal to the number of old members who have left parliament. A representative is considered to be "new" if he did not serve in the session immediately prior to the one under examination. Matland and Studlar (2004) defined legislative turnover as 'the

proportion of membership that changes from one general election to the next'. For the exact calculation of turnover rates, however, Manow (2007) offered a more precise definition. Manow (2007) defined turnover as the share of those who either do not return to the subsequent parliament or are not re-elected. This leads to a broad and a narrow definition of turnover. Legislative turnover is either defined broadly as comprising all who have been members of parliament but are no longer members of parliament, or it is defined more narrowly as comprising all who have been elected to parliament but failed to be re-elected to parliament (Manow,2007) see chapter two for detail.

Elections are held periodically in Nigeria, as in most representative democracies the world over for the purpose of re-electing legislators or electing new ones by the electorates. The available data on legislative turnover rate revealed that Kogi State legislature has one of the highest turnover rates in the North Central geopolitical zone as stated earlier in chapter two under literature review. This section looks at the rate of legislators' replacement or membership turnover in Kogi State House of Assembly.

Although this study covers 1999 – 2015, it is informative to make reference to the Kogi state 1st House of Assembly, 1992-1993. The 1st Assembly in Kogi state, during the aborted third republic, has thirty-two Honourable members while the subsequent fourth republic House of Assembly in Kogi State, 1999 till date has twenty-five Honourable members. Therefore, of all the thirty-two members of the 1st Assembly, no single member among them was re-elected into the 2nd Assembly, 1999-2003 in Kogi State. This implies that all the twenty-five members of the Kogi state 2nd House of Assembly were non-ranking members (greenhorns) without any previous legislative experience. This scenario was also observed in other state legislatures across the country and the National Assembly inclusive, where the majority of members, if not all, were

elected to the legislature for the first time. The table 12 indicates that all the twenty-five legislators of Kogi State House of Assembly, 1999 – 2003 were non-ranking members.

Table 12: The 25 Non-Ranking Members of Kogi State 2nd House of Assembly, 1999-2003

S/N	Name	Constituency	Party	Ranking status
01	Emanuel, S. S.	Yagba West	ANPP	Non-Ranking
02	Umar M Angulu	Kogi/Kotonkarfe	ANPP	Non-Ranking
03	Abdulrahman, A. D	Lokoja II	ANPP	Non-Ranking
04	Kizito, A. Makolo	Ankpa I	ANPP	Non-Ranking
05	Simon, Atadoga	Dekina/Biraidu	ANPP	Non-Ranking
06	Muhammed, O.	Okene Central	PDP	Non-Ranking
07	Mark Sunday Ohani	Adavi	ANPP	Non-Ranking
08	Prince Eric, O. Fiki	Mopamuro	PDP	Non-Ranking
09	Baba, I. Okikiri	Ajaokuta	ANPP	Non-Ranking
10	Yahaya Faruk Idris	Ankpa II	ANPP	Non-Ranking
11	A. S. Adakeke	Bassa	ANPP	Non-Ranking
12	Simion Achuba	Ibaji	ANPP	Non-Ranking
13	Igonoh Sani Atai	Idah	ANPP	Non-Ranking
14	John, O. Adele	Igalamela/Udolu	ANPP	Non-Ranking
15	Ndako K Olarewaju	Ijumu	ANPP	Non-Ranking
16	Olumorin O. James	Kabba/Bunu	PDP	Non-Ranking
17	Mh'd Hashim Rimi	Lokoja I	ANPP	Non-Ranking
18	Abuka Michael O.	Ofu	ANPP	Non-Ranking
19	Oritogun T Godwin	Ogori/Magongo	PDP	Non-Ranking
20	Momohjimoh B. J.	Okehi	PDP	Non-Ranking
21	Umar, A. Suleiman	Okene South	ANPP	Non-Ranking
22	Okon, O. Mathew	Okura	ANPP	Non-Ranking
23	Abogede, A. David	Olamaboro	ANPP	Non-Ranking
24	Onuh, O. Isaac	Omala	PDP	Non-Ranking
25	Olaewaju M. Aliyu	Yagba East	ANPP	Non-Ranking

Source: Researcher's Field Survey, 2017

By June 2003 a new House emerged after the 2003 general elections, which was dominated by non-ranking members with just two ranking members (experienced members). This indicates that only two legislators (8 percent) out of twenty-five incumbent legislators as shown in the table 12 above were returned to the House after the 2003 general elections and the remaining twenty-three members (92 percent) were non-ranking members. The table 13 on the next page shows the picture clearly:

Table 13: Ranking and Non- Ranking Members of Kogi State 3rd House of Assembly, 2003 - 2007

S/N	Name	Constituency	Party	Ranking Status
01	Saba I. Muhammed	Lokoja I	PDP	Non-ranking
02	Paul Edime	Ofu	PDP	Non-ranking
03	Jibril B. Umar	Lokoja II	PDP	Non-ranking
04	Yunusa Ibrahim	Bassa	PDP	Non-ranking
05	Akuvadah A. M.	Okehi	PDP	Non-ranking
06	Adesina S. Albert	Ogori/Magongo	PDP	Non-ranking
07	Attah I. Simon	Dekina/Biraidu	PDP	Ranking
08	Ejegbo O. Yunusa	Ankpa I	PDP	Non-ranking
09	Mohammad Adamu	Omala	PDP	Non-ranking
10	Baba A. Y.	Idah	PDP	Non-ranking
11	Ojuola E. Henry	Yagba East	PDP	Non-ranking
12	Onusagba H. Mh'd	Okene Central	PDP	Non-ranking
13	Achuba Simon	Ibaji	PDP	Ranking
14	Joshua A. Andrew	Dekina/Okura	PDP	Non-ranking
15	Ahamed Tahir A.	Ajaokuta	PDP	Non-ranking
16	Shaibu Z. Ohiemi	Olamaboro	PDP	Non-ranking
17	Suleiman M Usman	Kogi	PDP	Non-ranking
18	Zakari A. Bala	Ankpa II	PDP	Non-ranking
19	Olafemi Clarence	Mopamuro	PDP	Non-ranking
20	Lawal A. Hamza	Okene South	PDP	Non-ranking

S/N	Name	Constituency	Party	Ranking status
21	Adekunle S. K.	Ijumu	PDP	Non-ranking
22	Babarinde G. S.	Yagba West	PDP	Non-ranking
23	Yusuf Haruna A. O.	Igalamela/Udolu	PDP	Non-ranking
24	Bello S. Alfred	Kaba/Bunu	PDP	Non-ranking
25	Ojeba-‘biodun A O	Adavi	PDP	Non-ranking

Source: Researcher’s Field Survey, 2017

In June 2007 another House emerged (Kogi State 4th House of Assembly, 2007 – 2011) after the general elections. This House was also dominated by non-ranking members, though there was little improvement in the number of ranking members from two ranking members in the previous 3rd Assembly to five ranking members in the 4th Assembly constituting 20 percent of the twenty-five House members and putting the turnover rate at 80 percent. The table 14 on the next page indicates the ranking and non-ranking members of the Kogi State House of Assembly from 2007 to 2011:

Table 14: Ranking and Non- Ranking Members of Kogi State 4th House of Assembly, 2007 - 2011

S/N	Name	Position	Constituency	Party	Ranking Status
01	Olafemi Clarence	Speaker	Mopamuro	PDP	Ranking
02	Aduku Abdullahi O		Idah	PDP	Non-Ranking
03	Jatto Idriss A. O		Okehi	AC	Non-Ranking
04	Ohiemi Zakari		Olamaboro	PDP	Ranking
05	Adamu Muhammed		Omala	PDP	Ranking
06	Ibrahim Yunusa		Bassa	PDP	Ranking
07	Momoh Jimoh A.		Adavi	AC	Non-Ranking
08	Idakwoji Reuben I.		Dekina I	PDP	Non-Ranking
09	Ismail I. Hussain		Igalamela/Odolu	PDP	Non-Ranking
10	Ndakwo A. Tanko		Kogi/kk	PDP	Non-Ranking
11	Issa Ogirma Amoka		Okene I	PDP	Non-Ranking
12	Mh'd Nwahm A.		Okene II	AC	Non-Ranking
13	Salahudeen G. J.		Yagba East	PDP	Non-Ranking
14	Mustapha Allah D.		Lokoja I	PDP	Non-Ranking
15	Philip O. Orebiyi		Yagba West	ANPP	Non-Ranking
16	Emmanuel O. O.		Dekina II	PDP	Non-Ranking
17	Oni Jethro		Kaba/Bunu	PDP	Non-Ranking
18	Adams Kayode O.		Ijumu	PDP	Non-Ranking
19	Zakari A. Bala		Ankpa II	PDP	Ranking
20	Yakubu Yunusa		Ofu	PDP	Non-Ranking
21	Baba-Budan D. I.		Lokoja II	PDP	Non-Ranking
22	Abdullahi Ali		Ankpa I	PDP	Non-Ranking
23	Akaba Musa		Ajaokuta	PDP	Non-Ranking
24	Atule C. Okoche		Ibaji	PDP	Non-Ranking
25	Osiyi Godwin Ojo		Ogori/Magongo	PDP	Non-Ranking

Source: Researcher's Field Survey, 2017

In the 5th House of Assembly of Kogi State, 2011-2015 the numbers of ranking and non-ranking members were not different from the 4th Assembly. Out of twenty-five legislators that formed the new House in June 2011 after the general elections of that year, five members (20 percent) were re-elected into the House while twenty members 80 percent were newly elected members. Table 15 in the next page shows ranking and non-ranking members of the Kogi State House of Assembly from 2011 – 2015.

Table 15: Ranking and Non- Ranking Members of Kogi State 5th House of Assembly, 2011 - 2015

S/N	NAME	CONSTITUENCY	PARTY	REMARKS
01	Abdullahi Bello	Okene I	PDP	Ranking
02	Suleiman Mh'd B.	Lokoja I	PDP	Non-Ranking
03	Saidu A. Salihu	Kogi/kk	PDP	Non-Ranking
04	Michael Folusho D.	Mopamuro	ANPP	Non-Ranking
05	Adeyemi A. A.	Yagba West	ANPP	Non-Ranking
06	Lawal A. M. J.	Okene II	PDP	Non-Ranking
07	Habibat Mh'd Deen	Ankpa I	PDP	Non-Ranking
08	Damian Abdul A.	Olamaboro	PDP	Non-Ranking
09	Yakubu Yunusa	Ofu	PDP	Ranking
10	Haruna Idoko Musa	Idah	PDP	Non-Ranking
11	Abdullahi O. Lawal	Adavi	PDP	Non-Ranking
12	Gabril Daudu	Ogorimagongo	PDP	Non-Ranking
13	Samson Bako	Ajaokuta	PDP	Non-Ranking
14	Afolabi O. Solomon	Ijumu	ANPP	Non-Ranking
15	Emmanuel Ogbe O.	Dekina/Okura	PDP	Ranking
16	Musa D. Gwatana	Bassa	PDP	Non-Ranking
17	Henry E. Ojuola	Yagba East	ANPP	Non-Ranking
18	Idris Shehu	Lokoja II	PDP	Non-Ranking
19	Paul G. Haruna	Dekina/Biraidu	PDP	Non-Ranking
20	Jamiu Ishaq Ajayi	Okehi	PDP	Non-Ranking
21	Nathaniel Taiwo	Kaba/Bunu	PDP	Non-Ranking
22	Friday Paul Sani	Igalamel/Udolu	PDP	Non-Ranking
23	Abdullahi Zakari	Ankpa II	PDP	Ranking
24	Christopher A. O.	Ibaji	PDP	Ranking
25	Aliyu Akuh	Omala	PDP	Non-Ranking

Source: Researcher's Field Survey, 2017

The table 16 and figure 1 summarize the retention and turnover rates of Kogi State House of Assembly from 1999 – 2015. Table 16 also indicates the average retention and turnover rates of members in the Kogi State House of Assembly during the periods under consideration as 12 percent and 88 percent respectively.

Table 16: Retention and Turnover Rates of Kogi State House of Assembly, 1999-2015

Legislative Sessions	Incumbents' Legislator	Re-elected Member	Retention Rate	New Member	Turnover Rate
2nd Assembly, 1999-2003	25	Nil	Nil	25	100%
3rd Assembly, 2003-2007	25	02	8%	23	92%
4th Assembly, 2007-2011	25	05	20%	20	80%
5th Assembly, 2011-2015	25	05	20%	20	80%
Total/Average Retention & Turnover Rates	100	12	12%	88	88%

Source: Researchers' Field Survey, 2017

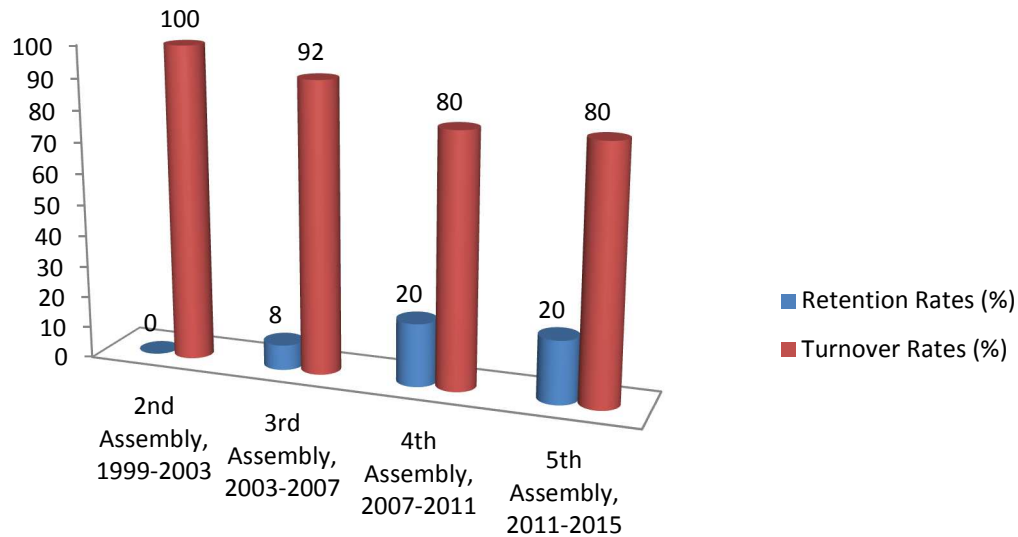


figure 1: The Retention and Turnover Rates of Kogi State House of Assembly, 1999-2015 (Average Retention and Turnover Rates are 12% and 88% respectively)

Source: Researcher's Field Survey, 2017

Table 16 and figure 1 above shows the high level of the exit of legislative members of Kogi State House of Assembly from one general election to another. This scenario is seen as one of the fundamental factors responsible for the poor performance of legislatures by some legislative scholars, not only in Nigeria but also across legislatures in the world (see Ogundiya and Baba, 2014; Oni, 2013; Fashagba, 2009; Matland and Studlar, 2004). The above-stated assertion by some scholars is the main thrust of the next section.

5.5.1 Effects of Turnover Rates on Lawmaking function in Kogi State House of Assembly

This section examines the effects of membership turnover on lawmaking function of the legislators in Kogi State House of Assembly from 1999 to 2015. In chapter two of the literature review some of the conceptual issues, theoretical perspectives, and conclusions on how

membership turnover influence the performance of legislatures, were examined. From the empirical point of view, therefore, how does the membership turnover influence the performance of the Kogi State legislators on their primary function of lawmaking? The legislature in Kogi state like any other State Assembly in Nigeria is empowered by the constitution to make laws.

The number of bills passed and their initiators in the House, from 1999 - 2015 were used as performance indicators. Besides, former and present legislators and the legislative staff of Kogi State Assembly were also interviewed to know their views on the effect of membership turnover on the law-making function of the Assembly.

Table 17: The List of Bills Passed by the Kogi State 1st House of Assembly, 1992 - 1993

S/N	Title of the Bills	Initiators	Year
1	Appropriation Law 1992	Executive	5th May 1992
2	The Authentication and Recording of Laws made by Kogi State House of Assembly	Executive	9th November 1992
3	A Bill for a Law to make Provision for Printing and Gazetteing of Kogi State Laws and other Classified Document and Information	Executive	16th November 1993

Source: Researcher's Compilation of Official Documents of Kogi State House of Assembly

In the 1st House of Assembly of Kogi State, 1992 – 1993 (the aborted 3rd Republic), three executive bills were passed into law as represented in table 17 above. We don't need an expert to tell us that the lawmaking out-put of the Kogi State 1st House of Assembly is very low. Notwithstanding, this Assembly could not be blamed for this poor performance because there was no precedence for the House as the maiden Assembly of the Kogi State since its creation on August 27, 1991. The thirty-two members of the House lacked the institutional memory and

relevant experience that was needed in the business of lawmaking. They were all elected to the State Assembly for the first time and were new in the system.

Table 18: The List of Bills Passed by the Kogi State 2nd House of Assembly, 1999 - 2003

S/N	Title of the Bills	Initiators	Year
1	Re- Submission of a Bill for the Establishment of Kogi State Agency for Poverty Reduction	Executive	Not Available
2	A Bill for a Law to make Provision for the creation of Additional Local Government Areas in Kogi State and other Matters Connected therewith	Executive	12th February 2002
3	A Bill for a Law to amend Kogi State Local Government Law that made provisions for the Establishment, Composition, Structure, Finance, and Functions of Local Government Areas in Kogi State and other Matters Connected therewith	Executive	2002
4	A Bill for a Law to make Provision for the Revenue and the Expenditure of Local Government Councils in Kogi State.	Executive	2003

Source: Researcher's Compilation of Official Document of Kogi State House of Assembly

Although the Kogi State 2nd House of Assembly had precedence, it also suffered from institutional memory and relevant experience because all the twenty-five members of the House were non-ranking members (new members) just like the 1st Assembly. This is because no single member out of the thirty-two members of the 1st Assembly was re-elected to the 2nd Assembly. This also accounted for the low performance of the 2nd Assembly in its lawmaking function as it could not initiate a single private member bill as well as passing acceptable numbers of bills into law. The total number of bills that were passed into law during this legislative session, 1999 - 2003 was just four as shown in table 18 above. The available record of bills in the Legislative

Management Department, Kogi State House of Assembly during this period is very hard to believe because there is no single appropriation bill throughout this legislative session. Other secondary materials consulted revealed the same information.

Table 19: The List of Bills Passed by the Kogi State 3rd House of Assembly, 2003- 2007

S/N	Title of the Bills Passed	Initiators	Year Passed
1	A Bill for a Law to make Provisions for Contracts and Debts Evaluation and Recovery of Public Funds and Property and a Bill for a Law to amend the High Court of Law to specify the member of Judges constituting the High Court of Kogi State (High Court Amendment Law 2004)	Executive	1st November 2004
2	A Bill for a Law to make Provisions for the Establishment of Kogi State Directorate for Science and Technology Development	Executive	2004
3	A Bill for a Law to make Provisions for Local Government Elections and other Matters Connected therewith	Executive	2004
4	A Bill to make Provisions for A Law for Contract and Debts Evaluation and Recovery of Public Fund and Property	Executive	2004
5	A Bill for a Law to make Provisions for the Establishment of Kogi State Revenue Court	Executive	16th September 2004
6	Re- forwarding of 3 Clean copies of a Law to make Provisions for the State House of Assembly Commission and other Matters Connected therewith	Executive	13th June 2005

Source: Researcher's Compilation of Official Document of Kogi State House of Assembly

The Kogi State 3rd House of Assembly, 2003 – 2007 passed six bills into law as shown in table 19 above, a performance that was not far better than the previous two Assemblies despite the institutional memory and experience which the two ranking members brought into the 3rd Assembly. Perhaps, this could be as a result of an insignificant number of ranking members to the twenty-three newly elected members of the House.

Table 20: The List of Bills Passed by the Kogi State 4th House of Assembly, 2007 - 2011

S/N	Title of the Bills Passed	Initiators	Year Passed
1	A Bill for a Law to Provide for the establishment of Private Hospital and other Health Institutions	Executive	2008
2	A Bill for Law to amend the Law for the Establishment of Kogi State Environmental Protection Board	Executive	2008
3	A Bill for a Law to Provide for Special Grants for former Kogi State Chief Executives and for related purposes	Executive	2008
4	A Bill for a Law to establish Kogi State Broadcasting Corporation and other Matters Connected therewith	Executive	5th March, 2009
5	A Bill for a Law to establish the Agency for Community and Social Development Project (COSDP)	Executive	2009
6	A Bill for a Law to establish the College of Education (Technical) Kabba in Kogi State	Executive	2010
7	A Law to Provide for the Urban and Regional Planning Activities in Kogi State and all other Purposes connected therewith	Executive	2010
8	A Bill for a Law to make Provisions for the Revenue and Expenditure of Kogi State Government for the Year Ending 31st Dec., 2010	Executive	2010
9	A Bill for a Law to amend the Law for the Establishment of the Kogi State College of Education (Technical) Kabba in Kogi State	Executive	1st August, 2011
10	A Bill to make Provisions for a Law to amend the Kogi State Local Government Law 2008 and other Matters Connected therewith	Executive	1st August, 2011
11	A Bill for a Law to make Provisions for the Revenue and Expenditure of Kogi State Government for the Year Ending 31st Dec., 2011 (Appropriation Bill)	Executive	14th March, 2011
12	Forwarding of 3 Clean Copies of a Bill for a Law to establish Kogi State Broadcasting Corporation and other Matters Connected therewith	Executive	
13	A Bill for a Law to Provide for the Pension Rights of former Chief Executives of Local Government Council	Executive	29th November, 2011
14	A Bill for Law to Establish Task Force on Environmental Sanitation Kogi State and other Matters Connected therewith	Executive	27th July, 2011

S/N	Title of the Bills Passed	Initiators	Year Passed
15	A Bill for a Law to make Provisions for the establishment of the Local Government and State Joint Account Disbursement Committee	Executive	28th November, 2011

Source: Researcher's Compilation from Official Document of Kogi State House of Assembly

The Kogi State 4th House of Assembly, 2007 – 2011 passed fifteen bills into laws, a performance that is relatively better than the performance of the three previous Assemblies in term of the number of bills that were passed into laws by the 4th Assembly as represented in table 20 above. This improved performance in law-making function of the 4th Assembly could not be divorced from the institutional memory and relevant experience of the five ranking members (experienced members) that were re-elected to the Assembly in 2007. Though the 4th Assembly did not record any private member's bill just like the previous assemblies in the State, there was a noticeable improvement in its lawmaking performance.

Table 21: The List of Bills Passed by the Kogi State 5th House of Assembly, 2011 - 2015

S/N	Title of the Bills Passed	Initiators	Year
1	Kogi State Fiscal Responsibility Bill	Executive	2012
2	A Bill for a Law to provide for Pension Rights of Local Government Chief Executives	Executive	2012
3	Bill for a Law to amend the Law for the Establishment of a Customary Court of Appeal in Kogi State and other Matters Connected therewith	Executive	2012
4	A Bill for a Law for the Establishment of Kogi State Economic Intelligence Council and Allied Matters	Executive	2012
5	A Bill for a Law to Establish Kogi State Road Maintenance Agency and other Allied Matters	Executive	2012
6	A Bill for a Law to Establish Kogi State Freedom of Information	Member	2nd February 2013
7	A Law to make provisions for the Revenue and the Expenditure of Local Government Councils in Kogi State for the Year ending 31st Dec. 2013	Executive	2013

S/N	Title of the Bills Passed	Initiators	Year
8	A Bill for a Law to make Provisions for the Establishment, Functions, and Powers of Kogi State Sanitation and Waste Management Board and other Matters Connected therewith	Executive	2013
9	A Bill for a Law to Establish Kogi State Hajj Commission	Executive	2013
10	A Bill for a Law to Establish Christian Pilgrims Commission	Executive	2013
11	A Bill for a Law to amend the Law for the Establishment of the State Agency for Community and Social Development and other Matters Related thereto	Executive	2013
12	A Bill for a Law to provide for the Kogi State Gender and Equal Opportunities	Member	2013
13	A Bill for a Law to provide for the Establishment of Kogi State Debt Securities (Issuance) Law 2013 and other Matters Connected therewith	Executive	2013
14	Local Government Councils Year 2013 Appropriations Bill for Assent	Executive	2013
15	A Bill for a Law for Establishment of Kogi State Statistical System and Kogi State Bureau of Statistics	Executive	2013
16	A Bill for a Law to promote and protect the Rights of Persons with Disabilities in Kogi State and other Related Matters	Member	2013
17	Public Procurement Law 2014	Executive	2014
18	A Bill for a Law to establish the Kogi State College of Education, Ankpa and other Matters Connected therewith	Executive	2014
19	A Bill for a Law to provide for the Establishment of the Local Government Service Commission for Kogi State and for other Purposes connected therewith	Executive	2014
20	A Bill for a Law to proscribe prohibit the establishment/Formation, Membership, Existence and activities of Secret Cults and Society in Kogi State; including Educational Institutions and other Matters Connected therewith	Executive	2014
21	A Bill for a Law to Establish Kogi State Market Development Board	Executive	2014
22	A Bill for a Law to Establish the State Council on Public Procurement and Procurement Bureau (State Procurement Bills)	Executive	2014
23	A Bill for a Law to Harmonize Rates and Levies Collectable by Local Governments in Kogi State	Executive	2014

S/N	Title of the Bills Passed	Initiators	Year
24	A Bill for a Law for Establishment of Kogi State Statistical System and Kogi State Bureau of Statistics	Executive	2014
25	A Bill for a Law to provide for the Establishment, Composition, Structure and Functions of Local Government Areas in Kogi State and other Matters connected therewith	Executive	2014
26	A Law for Establishing a Public-Private Partnership Bureau for the Kogi State of Nigeria, Improved Public Private Partnership, Infrastructure Development and Service Delivery in Kogi State and for other connected purposes and its schedules	Executive	2014
27	Eliminate all forms of discrimination based on HIV status and create a supportive Environment so that people living with HIV and AIDS are able to continue working under normal condition as long as they are medically fit to do so	Member	2014
28	A Bill for a Law to provide for the Establishment of Kogi State College of Health Sciences and Technology and for other purposes connected therewith	Executive	2014
29	A Bill for a Law to Establish the Kogi State Micro-credit Agency charged with the responsibility of providing Recovery Loans to Micro, Small and Medium Enterprises and other matters connected therewith	Executive	2014
30	A Bill for a Law for the Prohibition of Kidnapping and other Related offenses connected therewith	Executive	2015
31	A Bill for a Law to Establish the Kogi State Newspaper Corporation and other matters connected therewith	Executive	2015
32	A Law to make provision for the Revenue and Expenditure of Kogi State Government for the Year ending 31st December 2015	Executive	2015
33	A Bill for a Law to make provision for and Administration of Revenue due to Local Government of Kogi State and Local Government Councils in the State and Establish relevant Administrative Structures of Kogi State Board of Internal Revenue and for matters connected therewith	Executive	
34	A Bill for a Law to provide for the Establishment of Kogi State College of Health Sciences and Technology and for other connected purposes	Executive	

S/N	Title of the Bills Passed	Initiators	Year
35	A Bill for a Law to provide for Kogi State Small Scale Industry	Executive	
36	A Bill for a Law to amend the law for the Establishment of Kogi College of Education (Technical) Kabba in Kogi State	Executive	
37	A Bill for a Law to Establish the Agency for Community and Social Development Project (CSDP)	Executive	

Source: Researcher's Compilation of Official Document of Kogi State House of Assembly

The fifth House of Assembly of Kogi State passed thirty-seven bills (37) into law from 2011 to 2015. This is an unprecedented performance in its lawmaking functions compared to the performance of the four previous legislative sessions in the Kogi State House of Assembly. Besides, four out of these thirty-seven bills were initiated by members. However, this performance could not be attributed to the five ranking members of the Fifth Assembly alone because the Fourth Assembly also had the same number of ranking members and the numbers of bills were passed into law in the Fourth Assembly were fifteen which was less than half of the bills passed into law in Fifth Assembly as shown in tables 20 and 21 above. The researcher sought for reasons behind the low performance of the Fourth Assembly in his interview with the law-makers and the legislative staff of the KSHA. The main reason attributed to the low performance of the Fourth assembly was the un-supportive attitude of assembly staff because of their poor working conditions which were left unaddressed by the Kogi State Civil Service Commission despite their series of complaints.

Table 22: Distribution of the Bills Passed and their initiator by the Kogi State House of Assembly across the Legislative Sessions, (1999-2015)

Legislative Sessions	No. of Bills Passed	Executive Bills/ %	Private Bills/ %
2nd Assembly (1999-2003)	04	04 (100%)	Nil (0%)
3rd Assembly (2003-2007)	06	06 (100%)	Nil (0%)
4th Assembly (2007-2011)	15	15 (100%)	Nil (0%)
5th Assembly (2011-2015)	37	33 (89%)	04 (11%)
Total	62	58 (93%)	04 (7%)

Source: Researcher's Compilation of Official Document of Kogi State House of Assembly

The number of bills passed by the House and their initiators as identified and analyzed above is not enough to explain everything about the effects of high legislative turnover rates on the law-making performance of the House. Therefore, the researcher complemented this with the interview of law-makers and the legislative staff of KSHA to seek more insight on the issue.

One of the interview questions is stated thus: Does experience matter for legislators to initiate and pass the bill into law? The majority leader, KSHA stated that:

The new members lack experience in the process of initiating bills, writing motions and matters of public importance. They need to undergo a lot of training on the rules and procedures of the House and how to initiate an acceptable bill. For instance, a new member brought a bill to repeal the masquerade laws and it becomes a laughing-stock. A law that has been there as far back as 1984 and you are just bringing it because you are in the House of Assembly and you want us to repeal it. The bill died on arrival. To get a bill that will pass through the 1st, 2nd and 3rd readings and finally to be accepted by the governor it demands a lot of experience, knowledge and technical know-how. Though, the Assembly has the legal and research departments that can put us through. Honestly, I wouldn't deceive you, how many members have the time to visit the legal department to say please, I want to sponsor a bill and how many members will say please I want to research about certain things not even this House of Assembly alone, but also all over the country. How many members will have the time to say this is what I want to do? It is very few members that will create or have the opportunity to think deeply that, this is what I am supposed to do in the House. We are carried away with a lot of political pressure here and there. From the constituency to the executive, but the constituency takes the greater percentage (Interview, Hon. Mathew Kolawole, March 28, 2017).

Deputy Clerk, KSHA also explained that:

Experience is very important because there is what we call a high ranking legislator or 2nd timers if you enter a system for the first time you are abounding to see so many things as strange until after some time. The experience they gathered in the first time could be put to use if they are re-elected for the 2nd time that is why it is very difficult for the first timer to sponsor a bill because he does not know the procedures (Interview, Mr. Andas Malik, March 27, 2017).

Secretary to the Committee on House Services, KSHA also supported the experience thesis that it matters, because what you have been doing before you will definitely improve on it. Practice makes perfection (Mr. Jiya Aliyu Abdulkadir, March 27, 2017).

This led to another interview question, how long does it take a new member to learn the legislative work? These are the views of some respondents:

As a first timer it took me almost a year before I could know the terrain I am working on and the staff in the office kept educating me on what to be done and how to do it but if I am a second timer I don't need all these and that is why the second timer is always ranking officers. The knowledge and experience are there (Hon. Kolawole, 28th March 2017).

Contrary to what Hon. Kolawole (2017) said, Clerk, KSHA argued that:

This depends on the quality of the person. If a well-qualified person in term of educational qualification, experience, wisdom is elected it will be very easy to integrate, for example, anybody that passed through four corners of university should be able to integrate than when you bring lesser mind into the system, he may not even be able to integrate because of the knowledge and experience that are not there. For those who have acquired knowledge and experience within a short time they will integrate because there are so many facilities around in the legislative house to make them integrate so easily such as legislative aides that they need and other technocrats who are trigger ready, always anxious to put the legislators' through (Interview, Mr. Tseja Asamju Sheidu, March 27, 2017).

As a result of high legislative turnover, the Kogi State House of Assembly lacks experienced legislators that are better informed and equipped with necessary legislative skills

and knowledge to function effectively and efficiently as an autonomous organ of government in the performance of their primary responsibility of law-making. This is not peculiar to KSHA alone; it is also affecting the National Assembly and other States Legislatures across the country.

5.5.2 Effects of Turnover Rates on Oversight Function in Kogi State House of Assembly

Oversight function is another important role of the modern legislatures irrespective of the form of government in practice. The legislature ensures accountability and transparency and serves as a watch dog for public funds and resources. It checks other organs of government from being overbearing in the discharge of their duties. It is through the oversight functions that the legislature regularly exercises its power of checks and balances on other organs of government especially in democracies where bureaucracies and institutions are relatively underdeveloped and corrupt (Edosa and Azelama, 1995). Saliu and Muhammad (2010) indicate that legislative bodies take an active role in understanding and monitoring the performance of the executive arm and its agencies. The legislature oversees government affairs and holds the person responsible for any actions and omissions accountable to the people. Adebayo (1986) reveals that legislative oversight cross-checks the executive by examining the activities of some chief executive, Ministries, Departments, and Agencies (MDA) of government. The commonwealth parliamentary association (2002) asserts that the principle behind the legislative oversight ensure that public policy is administered in accordance with the legislative intent. The legislative function does not end only on the passage of bills but to follow the activity linked to lawmaking. It is the responsibility of the legislature to ensure that such laws are being implemented effectively. John Stuart Mill (1862) cited in (Ornstein, 1992 p. 2) argues that the legislature acts as the eyes, ears, and voice of the people, he asserted further that:

The proper office of a representative assembly is to watch and control the government: to throw the light of publicity on its acts, to compel a full exposition and justification of all of them which any one considers questionable; to censure them if found condemnable. In addition to this, the parliament has an office to be at once the nation's Committee of Grievances, and its Congress of Opinions (Ornstein, 1992: 2)

Stapenhurst, Johnston, and Pelizzo, (2006) also noted that 'in most countries, the legislature is constitutionally mandated as the institution through which governments are held accountable to the electorate'. The role of oversight of executive administration thus specifically entails: scrutinizing and authorizing revenues and expenditures of the government and ensuring that the national budget is properly implemented. The constitutional power to partake in budgetary appropriation gives the legislature needed political influence to shape governance, and possibly carry out reforms that are sustainable. In this regard, Saffell (1989) asserted that 'no function of the Congress is more jealously guarded or more basic to administrative control than the power of the purse'. In the same manner, Posner and Park (2007) affirmed that 'Legislatures in some countries have gained a role in approving macro-fiscal frameworks'. The Nigerian legislature belongs to the class of legislative assemblies vested with a preponderance of power over fiscal matters.

Legislative oversight functions are performed through technical committees and sub-committees of the legislature. Popular examples of such committees are House committee for Appropriation, House committee for power, House committee for external affairs and House committee for ethics and privileges among others. The increased national and international attention on government corruption in recent years have led to a greater focus on this aspect of parliamentary responsibility.

It is in view of the significance of this parliamentary responsibility that this section examines the effects of legislative turnover on the oversight functions of KSHA. Interviews were conducted on the law-makers and the support staff particularly secretaries to the various oversight committees of the House. Performance rating scale (low, moderate and high performance) was also adopted.

Interview question: Do you think legislators' experience matter in carrying out the oversight functions?

Secretary to the Committee on House Services, KSHA responded that:

Definitely, the experience is the best teacher, because you cannot compare ranking members with non-ranking members in term of their oversight capacity and investigatory skills. This is what they have been doing repeatedly and they have gathered experience over the years that could make them perform better than their new colleagues in their assigned committees' oversight responsibilities (Mr. Jiya Abdul-Kadir, March 27, 2017).

In the same vein, Hon. Bello, Chairman House Committee on Public Accounts argues that:

Experience is the best teacher, for example, if I want to handle any ministry on oversight functions my experience will count because I know where to go straight to get the information that I need or to see what the ministry or department might have been hiding from oversight committee. If I am given any voluminous file now to work on, let's say like a hundred cases. I know where to open if I want to catch you, it is experience, and there is nothing you can compare with it (Interview, Hon. Bello, March 29, 2017).

One of the non-ranking members in the KSHA, Hon. Abdullahi (2017) argued that:

The longer you stay in the legislative House the better it is for the effective discharging of oversight responsibilities. Because legislator is the mouthpiece of his people and police to the executive arm of government that needs necessary skills and experience to perform better.

If my experience in the House is anything to go by, I will say experience matters, because 2nd and 3rd timers are no doubt better than most of us not only on oversight functions but also on other parliamentary responsibilities because of its technicalities. Now that the state is not forthcoming on membership training because of the economic recession, ranking members are mentoring us on the floor of the House. (Interview, Salahudeen, 2017).

Hon. Sunday (2017) disclosed that:

The high turnover rate of members will have a negative effect on our legislative performance generally if the ranking members are not ready to assist the newly elected members. But in a situation where the ranking members are ready to accommodate new members, there may not be a problem as regards the oversight responsibilities of the legislators because all the elected members have the zeal for oversight function. Take our own as an example, we have five ranking members and they are very formidable, they train us and we blend within a short period.

Hon. Moses (2017), revealed that:

If the assembly is dominated by non-ranking members, things will not go on well. There will be too much burden on the ranking members because all technical and important assignment of the House will be saddled with them.

Andas (2017) claimed that:

The ranking legislator will have an advantage over a new member that is just coming into the system because of the experience he has gathered. Ranking member will use his experience to carry out oversight functions. All the same, the difference is not conspicuous whether you are a first timer or 2nd timer, there are facilities around you that will put you through it depends on how prepared are you to learn the legislative work (Mr. Andas Malik, March 27, 2017).

The table 23 that follows indicates the frequency distribution of 36 respondents on the Performance Rating of Ranking and Non-ranking members on oversight functions in Kogi State House of Assembly.

Table 23: Performance Rating of Ranking and Non-Ranking Members on oversight function in Kogi State House of Assembly.

Ranking Member			
Performance Rating	Low	Moderate	High
36 Respondents	0 (0%)	7 (19%)	29 (81%)
Non-Ranking Member			
Performance Rating	Low	Moderate	High
36 Respondents	0 (0%)	22 (61%)	14 (39%)

Source: Researcher's Field Survey

Table 23 indicates that:

- i. no respondent rated ranking members low, 7 respondents (19 percent), rated them moderate, while 29 respondents (81 percent) rated them high in their oversight function.
- ii.
- iii. no respondent rated non-ranking members low, 22 respondents (61 percent) rated them moderate, while 14 respondents (39 percent) rated them high in their oversight function.

This implies that ranking members are better than non-ranking members in their oversight function. Therefore, it is safe to conclude that high turnover rate of legislators is negatively affecting the oversight responsibilities of the legislators.

5.5.3 Effects of Turnover Rates on Representative and Constituency Responsibilities in Kogi State Assembly

In many systems, the legislature's representation function involves constituent services, (i.e., helping citizens cut through government bureaucracies to receive their benefits, assist In many systems, the legislature's representation function involves constituent services, (i.e., ing with special problems), and accessing government funds for projects to benefit the constituency, such as bridges, clinics, water systems, schools, etc. Parliamentarians become well known and help ensure their re-election, through providing such services. However, to carry out these responsibilities, legislators must relatively detach themselves politically and mentally from the legislature to reflect their constituencies' needs. This is because every legislator is fundamentally a representative of a constituency. It is only in recourse to constituencies that legislator becomes relevant and derives their powers. A legislator does not even exist without a constituency. The legislators are expected to tender the needs of their constituencies and lobby their colleagues towards incorporating such needs into national/state plans of actions. It is to ensure the performance of this function that all legislators are empowered to have functional constituency offices through which they can constantly consult with their constituents to feel their pulses and realizes their aspirations for onward presentation to the legislature for appropriate actions and interventions. Ecological and environmental problems, militancy, poverty, unemployment, sectional marginalization, gender discrimination, harmful traditional and cultural practices and other peculiar challenges that affected constituencies are expected to be exposed and advocated for by legislators representing affected constituencies. Constituency responsibilities and the previous roles discussed are all important and interconnected (Edosa and Azelama, 1995). The

degree of their satisfaction will either justify or falsify the existence of any legislature and they form the best practices against which legislatures' performance are measured.

It is in view of the above that this section investigates the effects of membership turnover on representative and constituency responsibilities in Kogi State House of Assembly. To discover this effect, the following question is raised: Would you say that the experience of members has an effect on legislative representation and constituency services? The respondents' views are as follow:

Definitely, it has an effect on legislative representation and constituency services, because a member who comes for the 2nd term will know how to lobby and how to propose certain project but without the experience, you will just be talking without getting anything and your constituency will suffer for it. With experience, you will know where to blow hot and where to blow cold so as to win the interest of the government to do something for your constituency members (Andas, 2017).

Hon. Friday (2017) also disclosed that:

Legislators' experience matter, because as a member in the House, you may need to go extra miles before you can be called to give an opinion on the floor of the House and if you are not experienced about certain things you leave everything pedestrian just like what I have been passing through since I became a member.

Jiya (2017) also argued that:

More experienced members are needed in the Assembly because, apart from making laws, the reasonable legislator will always lobby for his own constituency for projects that will benefit them. Such projects may include schools, clinics, water systems, good road, bridges, etc. The new members have to learn how to lobby.

Andas (2017) revealed that:

Lack of experience affect legislators' representative and constituency services because most of the greenhorns don't know how to sample the opinions of constituents' people and if they do, to present such views in the House becomes another problem.

Hon. Kolawole (2017) stated that:

Experience enhances legislators' exposure and capacity to lobby for so many things for the benefit of those he represented, for instance, there is what we call collaborative legislating that brings all members together regardless of party affiliation. Experienced members take advantage of this forum to lobby other members to help them lobby the government to get a dividend of democracy to their people. Both your party members and those belonging to another party will join you to talk to the government that this thing is important and you need it for your constituent members now and you will get it done.

Table 24: Performance Rating of Ranking and Non-Ranking Members on Representation/ Constituency Services in Kogi State House of Assembly.

Ranking Member			
Performance Rating	Low	Moderate	High
36 Respondents	0 (0%)	9 (25%)	27 (75%)
Non-Ranking Member			
Performance Rating	Low	Moderate	High
36 Respondents	0 (0%)	22 (61%)	14 (39%)

Source: Researcher's Field Survey

Table 24 indicates that:

- i. no respondent rated ranking members low, 9 respondents (25 percent), rated them moderate, while 27 respondents (75 percent) rated them high in their representation/ constituency services.
- ii. no respondent rated non-ranking members low, 22 respondents (61 percent) rated them moderate, and 14 respondents (39 percent) rated them high in their representation/ constituency services.

This implies that ranking members are performing better than non-ranking members in their representation/constituency services. Therefore, it is not out of place to say that high turnover rate of legislators is negatively affecting the representation/ constituency services in Kogi State Assembly.

5.6 Causes of Legislative Turnover in Kogi State Assembly

It was stated in the preceding section 5.4 of this chapter, that the average turnover rate of Kogi State House Members from 1999 to 2015 was 88 percent. If this average turnover rate (88 percent) is compared with the average turnover rate of Nigeria's National Assembly members which was 70 percent as earlier stated in the statement of the problem. The average membership turnover rate in Kogi State House of Assembly is higher than the National Assembly that was revealed to be the highest in the world (see chapter one and two for details). The question that comes to mind here is what are the causes of this high membership turnover in Kogi State House of Assembly? The answer to this question forms the main thrust of this section.

Findings on the causes of high membership turnover rates in Kogi State House of Assembly have revealed the following reasons:

- i) Strong contenders in term of money and influence

- ii) Politics of zoning and power-sharing
- iii) Voters dissatisfaction with the political party in power
- iv) Electoral defeat
- v) Electoral malpractices
- vi) Legislators' performance
- vii) Election Frequency
- viii) Desire for change
- ix) Party politics

- i. **Strong contenders in term of money and influence:** A strong contender in term of money and influence is another factor identified by Hon. Kolawole, who is representing Kabba/Bunu Constituency in the Kogi State House of Assembly. He argues that electoral victory is a game of influence and money rather than merit, no matter how good you may be to your constituent members in term of constituency responsibilities, if strong contenders in term of money or influence compete with the incumbents legislators it increases the rate of electoral defeat of serving legislator and this also contribute to the high turnover rate of legislators in Kogi State (Hon. Kolawole, 2017). Growing interest in seeking elective positions by political gladiators who pose serious threats to incumbents is producing a high turnover scenario. The quality of challenger thesis is not restricted to state legislature alone it also affects the national assembly. In Nigerian Senate, for instance, there is increasing number of former governors being elected into the Senate to oust the experienced incumbents' senators. Barkan (2010) cited in Hamalai

(2014) reached the same conclusion on high turnover in South African National Assembly resulting from the high quality of new entrants.

- ii. **Politics of zoning and power sharing:** Politics of zoning and power sharing are also seen to be responsible for the high turnover rate among Nigerian lawmakers. The provisions on federal character and zoning in section 14 of the 1999 Constitution (as amended) has been adopted by political parties at national and state levels in power-sharing. Section 14 (3) and (4) of the 1979 Constitution" Section 14 (3) clearly spelt out the *modus operandi* of the Federal Character principles as follows: The composition of the government of the Federation or any of its agencies be carried out in such manner as to reflect the Federal Character of Nigeria and the need to promote national unity and also to command loyalty thereby ensuring that there shall be no predominance of persons from a few ethnic or other sectional groups in that government or any of its agencies (The Constitution of the Federal Republic of Nigeria, 1979). Although in practice, existing legislators can be re-nominated for re-election irrespective of zoning considerations depending on the interest of the party leadership, governors, godfathers and political clout of individual legislators, the researchers observed that the party leadership can also use the zoning principle as an excuse to reject an incumbent. In some cases, the local governments could fiercely insist on taking their turn and cause the party to de-nominate an incumbent. For example Lokoja I state constituency is divided into five wards namely: Ward A, Ward B, Ward C, Ward D and Ward E. The state legislative representation is rotated among these five wards that made up Lokoja I state constituency. The Kogi state senatorial positions and federal constituency representation are not excluded from zoning principle particularly by the PDP. This scenario has been accounted for the high turnover

rate of legislators in the Kogi State House of Assembly. This research finding supported the finding of Onuigbo and Eme (2015) in their work titled: "Legislative Turnover in the National Assembly: A Study of the South – East Zone".

- iii. **Voters' dissatisfaction with the incumbent party:** Our research finding also revealed that voters' dissatisfaction with the ruling party is another cause of high turnover rate of legislators not only in Kogi and Osun State House of Assemblies but also in all other States' Assemblies in Nigeria including the National Assembly. For instance, All Nigerian People's Party (ANPP) was the ruling party in Kogi State in 1999 – 2003 and the Kogi State Assembly was dominated by ANPP members. In 2003 general election, there was vote swing between the two major political parties, ANPP and PDP in the state ANPP suffered electoral defeat as a result of voters' dissatisfaction with the incumbent party, ANPP and the opposition party, People Democratic Party (PDP) emerged as the ruling party in 2003 – 2007. This development led to the PDP dominated members in the Kogi State House of Assembly, the ranking ANPP members were voted out of the Assembly in 2003 general election. This finding is similar to research finding of Matland and Studlar (2004) in their work "Determinants of Legislative Turnover: A Cross-National Analysis" that the vulnerability of incumbents and the likelihood to lose the seat to a challenger increases with the vote transfer and the swing of seats from one election to the next. Rosenthal (1974) also found that if the absolute number of seats held by the parties in parliament is stable, turnover is less likely, if seats are at risk from one election to the next, there may be noticeable changes in legislative turnover.

- iv. **Electoral defeat:** Electoral defeat is another reason attributed to the high rate of legislative turnover in Kogi State. Hon. Ibrahim (2017) said that: each candidate must

compete, not only with those of other parties but also with those from his or her own party. Legislators may suffer electoral defeat either at party level during primary election or a general election while facing the opposition parties. This is in line with the findings of Gallagher (2000) in his research on a Legislative turnover in Ireland and Malta that intra-party defeats were especially important in Malta, which has extremely stable election results in terms of party voting and thus produces a relatively little inter-party turnover. Examining the fate of incumbents in elections from 1966 to 1998, Gallagher found that 72.1 percent of legislators were re-elected, 7.4 percent retired and 3.1 percent were subject to inter-party defeat, but fully 17.4 percent of representatives were victims of intra-party defeats. For Ireland, 1927–97, he found that 75.0 percent of members of the Da'il were re-elected, 8.5 percent retired, 10.7 percent were subject to inter-party defeat, and 5.9 percent were subject to intra-party defeat. In the same vein, Katz (1986) said that any electoral systems that expose sitting legislators to the threat of intra-party defeat will lead to higher levels of turnover. He examined the effect of intraparty voting in several countries and found that intraparty defeat is varied from a high of 17 percent in Greece; 14 percent in Finland to modest levels in Luxembourg (8.5 percent) and Italy (7.8 percent).

- v. **Electoral malpractices:** The Deputy Clerk Kogi State House of Assembly during the interview with him identified election malpractice as another factor causing the high turnover of legislators in Kogi State. This interview response supported the view of Onuigbo and Eme (2015) in their work on Legislative Turnover in the National Assembly, both scholars found that the prevalence of election malpractice was one of the causes of high turnover of legislators in Nigeria. Governors, godfathers and well-

resourced aspirants are culpable of perpetuating electoral fraud and manipulating the election processes through illegal possession and printing of ballot papers, stuffing of ballot boxes with ballot papers, manipulation of electoral laws, beating-up opponents imprisonment and killing of real and alleged political opponents, denial of electoral rights to citizens, padding of falsehood by the mass media, character assassination, non-enforcement of electoral laws. The offenders have been government officials, law enforcement, electoral officers, security agents, politicians and supporters and other Nigerians.

vi. **Legislative performance:** Legislators' performance was identified by Mr. Iseja Azanju Sheidu, Clerk, Kogi State House of Assembly as one of the causes of the high turnover rate of legislators in Nigeria generally and Kogi state assembly in particular. He explained that if a lawmaker does not perform well, the constituent members will change such lawmaker in the subsequent state assembly election because of his inability to deliver the dividends of democracy to the people he/she represented. The Clerk went further that the only way to reduce the high turnover rate as a result of legislators' performance is to advice lawmakers to do one or two things that will endear him/her to the people they represented to allow them to spend two or three terms in order to have a reliable experience (Interview, Clerk Kogi State House Assembly, 2017). Brace and Ward (1998) arrived at the same conclusion with this finding when the two scholars concluded in their work that: legislators' productivity leads to decrease in legislative turnover.

vii. **Election frequency:** Mr. Abubakar, an Administrative officer in the Kogi State House of Assembly identified frequency of election as one of the reasons for legislative

turnover. In his view, the more frequent elections are held, the higher the rate of legislative turnover. Election periods are the times when many incumbents lost their seat to new members. For instance, elections are held every four years in Nigeria (Interview, Abubarkar, 2017). The end of a term of office provides the opportunity for change; and the more often terms end, the more likely greater change. Besides, scholars such as Gouglas, Maddens, and Brans, (2016); Kuklys, (2013); Heinsohn and Freitag, (2012) also supported the legislative election frequency or legislative term thesis as another determinant of legislative turnover. They believed that electoral term length of the legislature is one of the obvious factors that are likely to affect turnover. In their view, how frequently an incumbent must stand for re-election matters in turnover of legislators. There are considerable variations in how often elections are held, depending on the official term of office, which varies from one country to another. For examples, in Nigeria, the official term of office for both National and State House of Assembly members is four years; in the US's Congress, the Senate and the House of Representative members have two and six years term in office respectively; Italy's Parliament members of Senate and Chamber of Deputies are elected for five years term. Logically, the more often a legislator must stand for re-election, the more often there is a possibility the person may lose.

- viii. **The desire for change:** Clerk, Kogi State House of Assembly in his view said that in reality, nothing is permanent in this world except change. If constituent members have gotten some representatives in the Assembly before and they want to get a taste of other representatives. Even, if the incumbent members are performing, as an African, they will tell you it is not your father title. Let there be change (Interview, Sheidu, 2017).

ix. **Party politics:** The researcher has observed party politics as another source of high turnover of legislators; this is because intraparty primaries have become a source of serious concern as the primaries elections results are predetermined by governors and godfathers which are mostly unfavourable to the incumbents' representatives. Similarly, Matland and Studlar (2004) contended that in every other country or state there are at least some possibilities for the party, either locally or centrally, to deselect candidates.

According to them political parties have two primary incentives when considering whether to deselect an incumbent. On the one hand, parties need to have some turnover to encourage legislative aspirants at lower levels in the party organization to continue working for the party. On the other hand, the party must consider whether retaining a sitting incumbent improves the party's chances of retaining a seat. The ability of an incumbent to improve the party's chances of retaining a seat depends upon the degree to which he is able to attract votes based on personal appeal. This personal vote can be built on individual constituency casework, on the MP's visibility in the district, or ability to bring governmental services (pork) to the district. The greater the perceived size of this personal vote, the more reluctant parties will be to deselect incumbents.

5.7 Financial Implications of High Turnover Rates in Kogi State Assembly

This section seeks to know the cost/financial implications of organizing orientation, training and re-training programmes for lawmakers in Kogi state Assembly as a result of the high turnover rate of legislators in the state. The training and re-training of legislators are considered necessary to make up for the lack of legislative experience and to achieve this a number of orientations and training programmes are organised to acquaint the legislators with the basic

knowledge and skills of legislative work. Despite the ritual nature of orientations and training of legislators in both state and national assembly, parliament remains one of the institutions where there is no hand-over note. Once a lawmaker is kicked out, whatever experience he or she may have garnered goes with him; time and money are wasted. It is against this backdrop that this section seeks to know the financial implications of training the lawmakers through the interview and questionnaire designed by the researcher to gather the relevant views and materials with a view to arriving at dependable findings.

The study gathered that there is a budget for training and capacity building of the members whether ranking or non-ranking. The researcher also asks if there is a separate budget for training and capacity building of new members. Deputy clerk KSHA, Mr. Andas Malik said that training and re-training are meant for every legislator regardless of their experience. According to him, legislators must attend training and capacity building at least one overseas and two local pieces of training in a year. The study also seeks to know how much is the House spending on one legislator? Majority of the legislators could not answer this question claiming that they have not attended any training except the in-house orientation during the inauguration. The new lawmakers are just learning on the job. There is no way we could give you the amount spending on training when we have not attended any (Hon. Prince Mathew Kolawole Olushola, Majority leader, KSHA, 2017). On whether the new and experienced legislators attend the same number of training, Hon. Prince Mathew Kolawole Olushola who is representing Kabba/Bunu state constituency said that new members are given more preference to the experienced members.

CHAPTER SIX

TURNOVER RATES AND LEGISLATIVE PERFORMANCE IN OSUN STATE

6.1 Introduction

This chapter examines the relationship between membership turnover and legislative performance in Osun State from 1999 to 2015. Thus, the chapter two of this study had reviewed some of the theoretical, conceptual issues, major perspectives and conclusions on how membership turnover influence the performance of legislatures. In a similar manner, this chapter presents an empirical view on how membership turnover is influencing the performance of Osun State House of Assembly during the period under consideration. The establishment of the legislature at the state level, as provided for by section 90 of the 1999 Constitution is aimed at decentralizing democratic values to other tiers of government. The framer of the 1999 Constitution took to account the need for lawmaking, oversight, and representation at the state level. This is in order to address peculiar governance challenges at the level of society other than the centre.

Like the National Assembly at the central level of Nigeria's federation, the state legislatures also perform functions similar to a bicameral legislature in some restricted areas. Sections 91, 92 and 93 of the 1999 Constitutions also stipulate the composition, functions, powers, and staffing of the state legislature in Nigeria. Hence, state legislatures in Nigeria operate and function within some specified constitutional provisions. Nonetheless, the state legislatures perform the traditional functions of law-making, oversight, and representation within its areas of constitutional jurisdiction. In essence, legislative performance could be measured on

the basis of the number of the laws they make, the extent to which they hold government officials accountable for their actions and inactions and more importantly the quality of representation they offer to the electorate. To perform these functions effectively and efficiently, the capacity and autonomy of the institution must be enhanced. This is explained in the context of members' expertise acquired mainly through a long period of legislative service (legislative career) and superior legislative staff and resources, which makes the institution assertive on legislation and policy issues.

Autonomous legislatures also have high prospects of controlling governmental activities by checking the excesses of various governmental and non-governmental agencies and organizations. Moreover, legislative organizations whose members consider their service as a career also have the tendency of delivering particularistic 'goods' to their constituents in addition to making informed input on regional and national issues. The important questions here are: in what ways do turnover in Osun state House of Assembly affect legislative performance? Does the number of bills passed between 1999 and 2015 influenced by the existence of ranking members of the House? Does the presence of ranking members enhance the autonomy of the legislature and finally do high numbers of ranking members make the legislature effective on its power of investigations (oversights) and efficient in Constituency service? These and other issues like causes and financial implications of high membership on the House finance in Osun State are the focus of this chapter. To achieve these objectives this chapter is divided into seven sections. This introductory section is followed by a brief history of Osun State and the development of Osun State House of Assembly. Section three discusses the structural composition of Osun State House of Assembly and the education, demographic profile and socio-economic status of members of Osun State Assembly. Section four examines the rates of

turnover in the Osun State House of Assembly. The fifth section examines the effects of turnover on the principal roles of the legislature: law-making; oversight and representative functions. The sixth section unravels the various causes of high membership turnover in Osun State House of Assembly. The seventh section examines the financial implications of high membership turnover on House budget in Osun State.

6.2.1 The History of Osun State

Osun state is one of the six states in the South-West geopolitical zone of Nigeria, a zone that was formerly part of the Western Region at independence in 1960. The region which had earlier contact, relationship and association with Western culture, tradition, and institution, also had a rich traditional culture, institution, and processes. The reason for combining both the European and traditional socio-cultural and political milieu has been ascribed to the similarities existing between the colonial culture and tradition and that of the majority Yoruba's and Benin that occupied the old Western Region and the South-Western geo-political zone.

Therefore, having a background of the traditional monarchical system of socio-political organisation coupled with democratic ideals bequeathed by long association with the British during colonisation, the Yoruba, including the present Osun state has developed a robust practice of party activities and parliamentary tradition. This, in spite of a relatively short period of existence of Osun state House of Assembly, has impacted the sophistication and development of legislative business in the State legislative House (Omitola, 2014).

In terms of political origin, most of the areas of Osun state were initially part of the former Western Region in the first Republic and the area existed as Osun province. Following the creation of states in 1976, the Osun province became an integral part of the old Oyo State

states covering ten local governments (Ede, Ifelodun, Ila, Irewolede, Irepodun, Iwo, Odo-otin, Ogbomoso, Ejigbo, and Osogbo) out of the twenty-four local governments of the old Oyo State. Following another wave of demand for states creation in 1991, the military administration of Ibrahim Badamasi Babangida approved the creation of additional nine states on 27th August 1991 and Osun State with its capital in Osogbo was one of the states (Omitola, 2014).

The name of the state “Osun” was derived from the River Osun. It is bounded in the north by Kwara State, in the east partly by Ekiti State and partly by Ondo State, in the south by Ogun State and in the west by Oyo State. The population of the state is 3,423,535 according to 2006 Population Census’ figure. Osun State occupies an area of 14,875 square kilometres and the capital city is Osogbo. The indigenes of the state belong to the Yoruba race, like their fellow counterparts in Ogun, Ondo, Oyo, Ekiti and Lagos states. Osun state consists of Yoruba people of diverse origin; the people from Oyo, Ife, Ijesa, Igbomina, and Osun. However, non-indigenes and foreigners reside in the state. Yoruba and English are the languages used for official and business transactions.

6.2.2 The Development of Osun State House of Assembly

The development of legislative institution in Osun State is traceable to the aborted third republic in Nigeria. As stated earlier, the state was excised from the old Oyo State in 1991. This development led to the emergency and inauguration of the first House of Assembly in Osun State on 15th January 1992 by his excellence Alhaji Isiaka Adeleke, the first Executive Governor of the State. The first House of Assembly consisted of forty-six members with two representatives each from the then twenty-three local governments in the state. Members of the Assembly were from the two political parties formed and imposed by the Federal Military Government in 1989

as parts of its transitions to civil rule. The two political parties are Social Democratic Party (SDP) and the National Republican Convention (NRC). The first Assembly in Osun State was controlled by Social Democratic Party with forty-two members against four members of the opposition party, National Republican Convention. The House was led by Hon. (Barrister) Adewale Afolabi as the speaker (official record, Department of Legislative Management, Osun State House of Assembly). The House had a brief lifespan, following the "transition without end" which was midwife by President Babangida military regime and the subsequent political impasse resulting from the annulment of June 12, 1993, presidential election; stepping aside of Babangida after installing an Interim National Government headed by Earnest Shonekan and the consequent sacking of Interim National Government (ING) in a palace coup d'état by late General Sani Abacha, the entire democratic structure in the country was terminated on 17th November 1993. Thus marking the end of yet to be fully consummated Third Nigerian Republic (Muhammed, 2014).

Therefore, following the collapse of the Third Republic and the emergence of Abacha's military regime, five political parties were registered: United Nigerian Congress Party (UNCP), the Democratic Party of Nigeria (DPN), the National Centre party of Nigeria (NCPN), the Grassroot Democratic Movement (GDM) and the Coalition for National Consensus (CNC) (Anifowose and Enemu, 1997). The emergence of these parties and their leadership were linked to Abacha's administration. Hence, Bola Ige was of the view that the political parties represent "five fingers of a leprous hand". The connection with the Abacha's administration became more glaring and at a stage all of the five political parties unanimously adopted General Sanni Abacha as their Parties' Presidential candidate, thereby making a presidential election unnecessary. All of these developments created some cynicism in the country and while the death of General Abacha

in June 1998 effectively put an end to these parties, the emergence of General Abdulsalam Abubakar as Head of state heralded a new transition programme, resulting in the registration of People's Democratic Parties (PDP), the All People's Party (APP) and the Alliance for Democracy (AD) that launched Nigeria into the Fourth Republic on 29th May, 1999.

Table 25: Names, Constituency, Parliamentary positions and Political party affiliation of members of the 1st Assembly in Osun State

S/N	Names	Constituency	Position	Party
1	Afolabi Samuel Adewale	Ifelodun II	Speaker	SDP
2	Omoworare Olanike (Miss.)	Ife Central II	Deputy Speaker	SDP
3	Olatoye Wahab Okunola	Obokun I	Majority Leader	SDP
4	Owagbile Muraina Akintayo	Ejigbo I	Minority Leader	NRC
5	Tadese (Prince) Amidu	Iwo I	Chief Whip	SDP
6	Adeniran OyetundeKehinde	Ejigbo II	Deputy Majority Leader	SDP
7	Adetoyi Olatoye Jinadu	Odo OtinII	Deputy Chief Whip	SDP
8	Amusa Raji Oladosu	Osogbo II	Whip	SDP
9	Olojede Rufus Abiona	Ife North I	Whip	SDP
10	Onifade Theophilus Sunday	Ayedaade II	Whip	SDP
11	Adekoyejo Bamidele Muraina	Ede II	Member	SDP
12	Ajayi Gideon Ade Adegunle	Egbedore II	Member	SDP
13	Akintola M. O. Aremu	Ayedire II	Member	SDP
14	Akintunde Olawuyi Aremu	Egbedore II	Member	SDP
15	Adeoti Joseph Ajani	Ayedire I	Member	SDP
16	Ayandokun Rufai Oladeji	Irewole II	Member	SDP
17	Durowura Jimoh Olayiwola	Ila II	Member	SDP
18	Fagbemiro Olaoye	Ilesa II	Member	SDP
19	Fasakin James Olayiwola	Irepodun II	Member	SDP

S/N	Names	Constituency	Position	Party
20	Farore Bamidele Ademola	Ilesa II	Member	SDP
21	Ilesanmi Jacob Abiola	Atakumosa II	Member	SDP
22	Moronkeji Adebile	Boripe I	Member	SDP
23	Ogundele Isaac Oluwawemimo	Obokun II	Member	SDP
24	Ojewale Isa Abimbade	Olorunda II	Member	NRC
25	Ogundeji Joseph Olaniyi	Olaoluwa I	Member	SDP
26	Oladipo Richard Adebisi	Ifedayo II	Member	SDP
27	Olaniregun Samuel Olapade	Iwo II	Member	SDP
28	Adeoti Maruf Adebayo	Olorunda I	Member	NRC
29	Adepoju Abdulrazaq Gbedegesin	Irewole I	Member	SDP
30	Adesiyan (Mrs.) Felicia Adepoju	Ife North II	Member	NRC
31	Adewoyin Adeleke	Ife Central I	Member	SDP
32	Adewolu Mikali Olalekan	Ede I	Member	SDP
33	Adeyekan shola Rasaq	Oriade I	Member	SDP
34	Oni Sola	Ife South I	Member	SDP
35	Opayinka Silas A. O	Irepodun I	Member	SDP
36	Omole Samuel Akanbi Gbenga	Atakumose I	Member	SDP
37	Owolade Adeniyi Adenrele	Ife South II	Member	SDP
38	Oyedirán (Alhaji) Atanda Lasisi	Olaoluwa II	Member	SDP
39	Oyedokun Tokunbo Olayinka	Boripe II	Member	SDP
40	Oyekunle Olayinka Lawrence	Ayedaade I	Member	SDP
41	Oyinlola Ajiboye Adegorioye	Odo Otin I	Member	SDP
42	Oyinlola James Adedeji	Ila II	Member	SDP
43	Oludare Stephen Theophilus	Oriade II	Member	SDP
44	Shittu Omoloye Lamide	Ifelodun I	Member	SDP
45	Salawu Mufutau Adigun	Osogbo I	Member	SDP
46	Tayo Adeoti Joseph	Ifedayo I	Member	SDP

Source: Researcher's Compilation from the official Documents of Osun State House of Assembly

Table 26: Some changes in the principal officers of the Osun State 1st House of Assembly

S/N	Names	Constituency	Position	Party
1	Owolade Adeniyi Adenrele	Ife South II	Deputy Speaker	SDP
2	Ogundele Isaac Oluwawemimo	Obokun II	Deputy Leader	SDP
3	Onifade Theophilus Sunday	Ayedaade II	Deputy Majority Leader	SDP
4	Akintola M. O. Aremu	Ayedire II	Chief Whip	SDP
5	Adepoju Abdulrazaq Gbedegesin	Irewole I	Assistant Whip	SDP
6	Oyinlola Ajiboye Adegorioye	Odo Otin I	Assistant Whip	SDP
7	Amusa Raji Oladosu	Osogbo II	Deputy Chief Whip	SDP

Source: Researcher's Compilation from the official Documents of Osun State House of Assembly

6.3.1 Osun State House of Assembly: Structure and Composition

Osun State House of Assembly as provided for in section 92 of the 1999 Constitution of the Federal Republic of Nigeria (CFRN) as amended is led by the Speaker and his Deputy " who shall be elected by the members of the House from among themselves" (CFRN 1999 (as amended)). Other House leaders elected by the parties represented include the Chief Whip, Majority and Minority leaders and their Deputies. The Clerk of the House, who is appointed by the Governor, is the secretary of the House as well as the head of the non-legislative administrative staff (S. 3 of CFRN 1999 (as amended)). The Sergeant-at-Arms is another important pillar of the Osun State Assembly who attended the sittings and maintains order subject to the instructions of the Speaker/Chairman; he is the Chief Security Officer of the House. The twenty-four members of the Osun State House of Assembly are elected on the basis of their local government constituencies.

Members are constitutionally permitted to set down their House rules known as the Standing Orders on regulations of the procedure of the House, a number of committees and term of office, quorum, adjournment, recess as well as vacancy vis-à-vis the validity of its proceedings (CFRN, 1999). As a unicameral assembly, the Osun State House of Assembly comprises of two types of committees, that is the Regular and Complementary Committees. The Regular Committees are sub-divided into three: the Standing/General Committees under which are the All Ministry-related issues and Committee of the Whole House; the Financial Committee which is further sub-divided into the Appropriation, Public Accounts, Finance, and Anti-Corruption Committees; and finally Institution/Machinery Committees comprising of Selection, Rules/Business, Privileges/Ethics, Public Relations, House Service and Principal Officers Committee. Complementary committees are also known as ad-hoc, special or Sub-Committees which are dissolved after the completion of their assignment. Most decisions are first deliberated at committee levels and finally presented to the general house for approval while others like the budget are first presented directly to the general House before being deliberated at the Committee for the second reading before the final reading and approval by the whole house. The twenty-four members of the Osun State House of Assembly are divided into committees to enable a sound and prompt response to the request sent to the House for deliberation, ratification, confirmation and so on. Perhaps, it is in the light of this that Heywood (2007) argued that Committees are powerhouses of the assembly, the very hub of the legislative process; whereas parliamentary chambers are for talking, committees are for working. Heywood (2007) stated further, that Congressional government in session is Congress in public exhibition. Congress in its committee room is Congress at work. Therefore, it is arguably to say that an assembly can be

judged by the strength of its committee. Thus, the Committee may be regular or ad-hoc, the Regular Committee in Osun State House of Assembly is those that scrutinize government and oversee the exercise of governance, in most cases ad-hoc committees are set up when issues of social concern call for it. For instance in times of crises or emergencies or when there is governance gridlock among the various arms or sectors of government necessitating intervention and resolution. Osun State House of Assembly being within a Federal unit adopting the presidential system of government, the committees have some measure of independence, in that they can summon the Governor, Commissioners, Head of parastatals, public officers, certain records or documents before them or require explanations for the occurrence or non-occurrence of certain events. However, Committees do not have the mandate to take decisions on behalf of the House; it can only make recommendations which are debated upon before approval. Osun State House of Assembly and most of the other Houses of Assembly in Nigeria are not policy-making assemblies but rather executive dominated assemblies that merely approve executive decisions (see Oni, 2013; Fashagba, 2009; Lafenwa, 2006). Most policies and legislation are initiated by the executive as will be seen later in the study.

The Osun State House of Assembly was established in 1999 in accordance with sections 90 and 91 of the constitution. The legislature is composed of thirty members representing different constituencies' emerged based on the population strength of the state and other requirements that are clearly stated in S. 91 of the 1999 constitution, which state thus:

Subject to the provision of this constitution, a House of Assembly of a state shall consist of three or four times the number of seats which that state has in the House of Representatives divided in a way to reflect, as far as possible, nearly equal population. Provided that a House of a state shall consist of not less than twenty-four and not more than forty-four members (CFRN, 1999)

The first House of Assembly in Osun State in 1992 was composed of forty-six elected members. The House members were reduced to twenty-six elected members in the second House of Assembly of 1999 following the provision of 1999 constitution which stated that a House of Assembly of a state shall consist of three or four times the number of seats which that state has in the House of Representatives divided in a way to reflect, as far as possible, nearly equal population. Provided that a House of a state shall consist of not less than twenty-four and more than forty-four members (1999, CFRN). The memberships of the House represent thirty Local Governments across the state. Eight out of the thirty Local Governments have four constituencies, that is, two Local Governments represent one constituency, while the remaining twenty-two Local Governments constitute one constituency each. Three political parties secured seats in the State House of Assembly in 1999. Alliance for Democracy (AD) won twenty-two seats; All People's Party (APP) won three seats while the remaining one seat was won by People Democratic Party (PDP). The distribution of the seats to the three political parties represented in the House shows clearly that the AD, which also won the Governorship election was the dominant party in the State House of Assembly.

As a result of the numerical strength of the AD in the Osun State 2nd House of Assembly in 1999, the party produced the leadership of the House. The Speaker, the Deputy Speaker, and Majority Leader while the minority leader came from APP that has the second highest seat in the House. The Osun State House of Assembly like all other state legislature in the country lacked the experienced legislators that are better informed and equipped with the necessary legislative skills and knowledge to function efficiently as an autonomous branch of government. This could be attributed to the military incursion into politics and the attendant suspension of the legislature during the military rule coupled with the newness of the state.

6.3.2 Education, Demographic profile and Socio-Economic status of Osun State House of Assembly Members

In a legislative study of this nature, it is imperative to examine the education, demographic profile and socio-economic status of the members. This is because their educational attainment and previous experience either in private or public sector have a considerable bearing on the capacity of legislators. Therefore, to fully understand and appreciate how it affects the performance of constitutional roles of Osun State legislature from 1999-2015, the study employed the level of education attainment, cognate experience, gender distribution and party platforms of the legislators as indicators to examine education, demographic profile, and socio-economic status of the member. In view of this, the tables 27, 28, and 29 show the distribution of educational qualification; cognate experience; and party affiliation of Members of Osun State House of Assembly respectively from 1999-2015 as follows:

Table 27: Educational Qualification of Osun State House of Assembly Member

Qualification/Periods	2nd Assembly, 1999 – 2003	3rd Assembly, 2003 – 2007	4th Assembly, 2007 – 2011	5th Assembly, 2011 – 2015
Higher Degree	05 (19%)	05 (19%)	09 (35%)	07 (27%)
Degree/HND	16 (61.5%)	15 (58%)	11 (42%)	18(69%)
Diploma/NCE	03 (11.5%)	06 (23%)	04 (15%)	Nil
Secondary	02 (8%)	Nil	02 (8%)	01 (4%)
Total	26 (100%)	26 (100%)	26 (100%)	26 (100%)

Source: Researcher's Field Survey, 2017

Table 28: Cognate Experience of Osun State House of Assembly Members

Cogn't Experience/Periods	2nd Assembly, 1999 – 2003	3rd Assembly, 2003 – 2007	4th Assembly, 2007 – 2011	5th Assembly, 2011 – 2015
Professional	04 (15%)	10(36%)	09 (39%)	11 (58%)
Civil Servant/Teacher	07 (27%)	01 (4%)	Nil	03 (16%)
Business/Self-employed	10 (38%)	05 (20%)	08 (35%)	01 (5%)
Politician	05 (20%)	10 (40%)	06 (26%)	04 (21%)
Total	26 (100%)	26 (100%)	23 (100%)	19 (100%)

Source: Researcher's Field Survey, 2017

Table 29: Composition and Party Affiliation of Members of Osun State House of Assembly

Period	Ruling Party	Opposition Party(ies)	Total
1999-2003	22 Seats (85%) AC	3 Seats (11%) APP; 1 Seat (4%) PDP	26 Seats
2003-2007	26 Seats (100%) PDP	Nil	26 Seats
2007-2011	14 Seats (54%) PDP	12 Seats (46%) AC	26 Seats
2011-2015	26 Seats (100%) AC	Nil	26 Seats

Source: Researcher's Field Survey, 2017

The members of the 2nd legislature (1999-2003) in Osun State came from different walks of life. Educationally, the 2nd legislature turned out impressive numbers of highly educated legislators. For instance, out of the twenty-six elected legislators, five legislators (19 percent) had higher degree and among the five holders of the higher degree was the speaker of the House, Hon (Dr.) Majeed Olujinmi Alabi (now Professor of Political Science and serving federal Honourable in the 8th Assembly) who represented Ejigbo constituency in the Osun state House of Assembly between 1999 and 2003 had Ph.D. in Political Science. Formerly, he was lecturing in the Department of Political Science, Obafemi Awolowo University before he became the speaker of Osun State House of Assembly between 1999 and 2003.

Sixteen legislators (61.5 percent) had a university degree or its equivalent, while three legislators (11.5 percent) were holders of either diploma or NCE and the remaining two legislators (8 percent) were secondary school certificate holders. As regards the distribution of professions, four legislators (15 percent) were lawyers, seven legislators (27 percent) were either civil servants or teachers, ten legislators (38 percent) had experience in private sectors and the remaining five legislators (20 percent) were politicians. In term of gender representation, the 2nd legislature (1999-2003) in Osun State comprised only male legislators as no single female was elected a member. In term of political party affiliation in the House, the 2nd Assembly was controlled by the Alliance for Democracy (AC) which had twenty- two members (85 percent) in the House out of twenty-six elected legislators. All People's Party (APP) had three members (11 percent) and People Democratic Party (PDP) had one member (4 percent) in the assembly.

The 3rd legislature (2003-2007) in Osun State also had twenty-six elected members out of which five legislators (19 percent) had higher degree, fifteen legislators (58 percent) had university degree and its equivalent, while the remaining six legislators (23 percent) were either holder of diploma or NCE, and there was no single secondary school certificate holder in the House. In term of gender representation, just like the 2nd legislature, the 3rd legislature in Osun State did not have any female member, all the twenty-six elected legislators were male. As regards the professions of members in the House, out of the twenty-six elected legislators, ten legislators (36 percent) were professionals (among the professionals were three lawyers, four accountants, one pharmacist, one journalist, one surveyor), one legislator (4 percent) was a teacher, five legislators (20 percent) were self-employed and one of them was a farmer, Hon. Oroniyi, S.O. who represented Iwo state constituency in the House, while the remaining 10 legislators (40 percent) were politicians.

In term of political party affiliation of members in the Assembly, all the twenty-six elected legislators (100 percent) were members of the People Democratic Party (PDP). By this, it means that only one political party, PDP controlled the House between 2003 and 2007. There was no opposition party member to check the excesses if any of both the legislature and the executive in Osun State during this period (Nigerian states assemblies: A study of legislative activities, 2007).

In the Osun State 4th House of Assembly (2007-2011), the educational qualification of the twenty-six elected legislators was distributed thus, nine legislators (35 percent) had higher degree i.e. master's degree holder, eleven legislators (42 percent) had first university degree and its equivalent, four legislators (15 percent) were holders of either diploma or NCE, and the remaining two legislators (8 percent) had secondary school certificate. In term of gender representation, the 4th legislature in Osun State had one female member (4 percent), Hon. Idiat, Oluyemi B, a lawyer by profession who represented Ede South state constituency in the House. As regards the profession of members, out of the twenty-six elected lawmakers, nine legislators (39 percent) were professionals (four lawyers, three accountants, one engineer, and one journalist), eight legislators (35 percent) were businessmen/self-employed, and six legislators were politicians. The profession of the remaining two legislators was not known. In term of political party affiliation of the 4th Assembly's members in Osun State, People Democratic Party (PDP) had majority members in the House, fourteen seats (54 percent) and the Action Congress (AC) had twelve legislators (46 percent). The sharing of the positions of legislative principal officers reflected the strength of parties in the assembly (Nigerian states assemblies: A study of legislative activities, 2010).

Educationally, the 5th legislature (2011-2015) in Osun State had qualified legislators, eleven members (58 percent) out of nineteen legislators whose educational qualification was available were higher degree holders, three legislators (16 percent) had university degree and its equivalent, one legislator (5 percent) was a holder of diploma, and other four legislators (21 percent) had secondary school certificate. In term of gender representation, one female member that was recorded during the 4th legislature (2007-2011) was better than non-representation of the womenfolk in the 5th legislature (2011-2015). No single woman was elected to the assembly during this period. This was indeed an erosion of the prospect for improved female representation in the political process. As regards the professional distribution of members, eleven legislators (58 percent) out of nineteen whose professions were available were professionals which include four lawyers, three accountants, one pharmacist, one Vet. Dr., and one Journalist. Three legislators (16 percent) had teaching experience, one legislator (5 percent) was self-employed and the remaining four (21 percent) were into politics as a profession before they became House members in the 5th Assembly. In term of political party affiliation of members in the 5th Assembly, all the twenty-six elected legislators (100 percent) were members of the Action Congress of Nigeria (ACN), just like the 3rd legislature (2003-2007) that had 100 percent PDP members in the House. By this, it means that only one political party, ACN controlled the House between 2011 and 2015. There was no opposition party member to check the excesses if any of both the legislature and the executive in Osun State during this period (Nigerian states assemblies: A study of legislative activities, 2014).

6.4 Turnover Rates in Osun State House of Assembly

The simplest method to measure legislative turnover is by subtracting the number of re-elected members from the total members in the House immediately after a general election. The turnover rate would be the proportion of legislators who were not members at the end of the previous legislative session and the retention rate are members of the previous legislative session who are also members of the new legislative session after elections. This method does not account for the membership turnover as a result of death or tribunal defeat that may warrant legislators' replacement within the session.

To this end, legislative turnover is defined as the proportion of new members out of the total membership in a legislative chamber. Unless the size of the chamber has been changed, the number of new members is equal to the number of old members who have left parliament. A representative is considered to be "new" if he did not serve in the session immediately prior to the one under examination.

Elections are held periodically in Nigeria, as in most representative democracies of the world for the purpose of re-electing legislators or electing new ones by the electorates. The available data on legislative turnover rate revealed that Osun State Assembly has high turnover rates of legislators like other states' Assembly in Nigeria and the Nigerian National Assembly as stated earlier in chapter two under literature review. Therefore, this section looks at the rate of legislator replacements or membership turnover in Osun State House of Assembly in the period under review, 1999-2015.

It is important to note that Osun State 1st House of Assembly, 1992-1993 during the aborted Third Republic had forty-six Honourable members, while the subsequent Forth Republic Assemblies that started in 1999 had twenty-six members. Thus, of all the forty-six members of

Osun State 1st House of Assembly nobody among the members was re-elected to the Osun State 2nd Assembly, 1999-2003. This implies that all the twenty-six members of the Osun state 2nd House of Assembly were greenhorns. This scenario was the same in other State' Legislatures across the country and the National Assembly, where the majority of members of the Senate and the Federal House of Representatives were elected into the legislature for the first time. The table 30 shows that all the twenty-seven legislators of House of Assembly, 1999 – 2003 were non-ranking members.

Table 30: The 27 Non-Ranking Members of Osun State 2nd House of Assembly, 1999-2003

S/N	NAME	CONSTITUENCY	POSITION	PARTY	RANKING STATUS
01	Dr. Majeed Olujinmi Alabi	Ejigbo	Speaker	AD	Non-Ranking
02	Gbotoso, Moses Oladipo	Ilesa West	Deputy Speaker	AD	Non-Ranking
03	Hassan, Busari Olawuwo.	Ifelodun	Majority leader	AD	Non-Ranking
04	Tewogbade, Aliyu Ayobami	Irewole/Isokan	Dep. Major. Leader	AD	Non-Ranking
05	Anthony B.A. Taiwo,	Ife North	Chief Whip	AD	Non-Ranking
06	Lawal Aderoju Moroophdeen	Olorunda	Deputy Chief Whip	AD	Non-Ranking
07	Barr. Bello, Rafiu Adejare	Ede North	Minority leader	APP	Non-Ranking
08	Barr. Popoola, Simeon Olufemi	Boripe/ Boluwaduro	Whip	AD	Non-Ranking
09	Adisa Tajudeen Ayofe	Iwo	Whip	AD	Non-Ranking
10	Awotunde A. Theophilus	Oriade	Whip	AD	Non-Ranking
11	Komolafe R. Obafemi	Atakumosa E/W	Member	AD	Non-Ranking

S/N	NAME	CONSTITUENCY	POSITION	PARTY	RANKING STATUS
12	Akinpelu, O. Sunday	Ayedaade	Member	AD	Non-Ranking
13	Taiwo, Olajire Alawode	Ayedire	Member	AD	Non-Ranking
14	Ojo Johson Ajagbe	Ede South	Member	APP	Non-Ranking
15	Omolaoye Olu Akinola	Egbedore	Member	AD	Non-Ranking
16	Odunayo, O. Olagbaju	Ife Central (May 31,1999- Dec. 19, 2001)	Member	AD	Non-Ranking
17	Oyewole, Ebenezer Ropo	Ife Central (2002-2003)	Member	APP	Non-Ranking
18	Fakayode, O. Joseph	Ifedayo	Member	AD	Non-Ranking
19	Omidiora, Olalekan Afolabi	Ife East	Member	AD	Non-Ranking
20	Ajibodu, Julius Ademola	Ife South	Member	AD	Non-Ranking
21	Adediji Joshua Ademola	Ila	Member	AD	Non-Ranking
22	Awoniyi Ezekiel Akinola	Ilesa East	Member	AD	Non-Ranking
23	Popoola, Azeez Popoola	Orolu/Irepodun	Member	AD	Non-Ranking
24	Tejuoso, O. Omobanike	Obokun	Member	AD	Non-Ranking
25	Oyediran, Josia Olalekan	Odo-Otin	Member	AD	Non-Ranking
26	Akindiya Adediran Amos	Ola-Oluwa	Member	PDP	Non-Ranking
27	Engr. Moshod Olayiwola	Osogbo	Member	AD	Non-Ranking

Source: Researcher's Compilation from the official Documents of Osun State House of Assembly

In the Osun State 3rd Assembly, 2003-2007, out of twenty-six members, only two members, 8 percent were re-elected into the House after the 2007 general election and the remaining twenty-four members, 92 percent were non-ranking members. Obviously, this House was dominated by non-ranking members. Table 31 shows the ranking and non-ranking members of Osun State House of Assembly.

Table 31: Ranking and Non-Ranking Members of Osun State 3rd House of Assembly, 2003-2007

S/N	NAME	CONSTITUENCY	POSITION	PARTY	Ranking Status
01	Rafiu , A. Bello	Ede North	Speaker	PDP	Ranking
02	Sunmonu, T.Y.	Olorunda	Deputy Speaker	PDP	Non-Ranking
03	Oyewole, E.R	Ife Central	Majority Leader	PDP	Ranking
04	Adio, S.O	Irewole/Isokan	Deputy Major Leader	PDP	Non-Ranking
05	Adegoke H.O.	Ifelodun	Chief Whip	PDP	Non-Ranking
06	Ogunsemi, M.O.	Oriade	Minority Leader	PDP	Non-Ranking
07	Adagunodo, O.	Obokun	Deputy Chief Whip	PDP	Non-Ranking
08	Adesoye, O.	Ayedire	West Senatorial Whip	PDP	Non-Ranking
09	Olasehinde, F.M	Ifedayo	Central Senatorial Whip	PDP	Non-Ranking
10	Ogunleye, J.O.	Atakunmosa E/W	East Senatorial Whip	PDP	Non-Ranking
11	Farounbi, O.B.	Ayedaade	Chair. Finance & Appr.	PDP	Non-Ranking
12	Ogunwole, R. O	Boripe/Boluwaduro	Chairman Health	PDP	Non-Ranking
13	Fatoki, R.O.	Ede South	Chair. Land Housing Dev.	PDP	Non-Ranking
14	Okun, Obiremi	Egbedore	Chairman, Edu. Sc. & Tech	PDP	Non-Ranking
15	Aleem, Bakare	Ejigbo	Chairman, Agric. Forestry	PDP	Non-Ranking
16	Adeyela, B.F.	Ife East	Chairman, House Services	PDP	Non-Ranking
17	Akinremi, J.O.	Ife North	Chair. Judiciary & Hum. Rht	PDP	Non-Ranking
18	Adebisi, Y.A.	Ife South	Chairman, Public Matters	PDP	Non-Ranking
19	Kolawole, I.A.	Ila	Chair. Rules and Business	PDP	Non-Ranking
20	Olanrewaju, M.O.	Ilesa East	Chair. Local Government	PDP	Non-Ranking
21	Ajayi L.O.	Ilesa West	Chair. Com. Industr. & Coop	PDP	Non-Ranking
22	Ibrahim Dauda	Orolu/Irepodun	Chairman, Water Resources	PDP	Non-Ranking
23	Oroniyi, S.O.	Iwo	Chair. Woman Affair Y & S	PDP	Non-Ranking
24	Ibitoye Adeniran	Odo-Otin	Chair. Public Works&Trans	PDP	Non-Ranking

S/N	NAME	CONSTITUENCY	POSITION	PARTY	Ranking Status
25	Amuda,S.A.	Ola-Oluwa	Chairman, Ethics & Prvges.	PDP	Non-Ranking
26	Adelakun, O.A.	Osogbo	Chairman, public Accts.	PDP	Non-Ranking

Source: Researcher's Compilation from the official Documents of Osun State House of Assembly

By June 2007 a new House emerged after the 2007 general elections which were the 4th House of Assembly, 2007-2011. This House was also dominated by non-ranking members because out of twenty- six members, four members 15 percent were ranking members while the remaining twenty- two members, 85 percent were non-ranking members. Table 32 shows the ranking and non-ranking members of Osun State House of Assembly.

Table 32: Ranking and Non-Ranking Members of Osun State 4th House of Assembly, 2007-2011

S/N	NAME	CONSTITUENCY	POSITION	PARTY	REMARKS
01	Rafiu, Adejare B.	Ede North	Speaker	PDP	Ranking
02	Oyewole, E. R.	Ife Central	Deputy Speaker	PDP	Ranking
03	Adeyemi, A.T	Ifelodun	Maj. Leader Chair Rules & Bus.	PDP	Non-Ranking
04	Farounbi, O.B	Ayedaade	Dep.Maj Lead Chair.Fin & Appr	PDP	Ranking
05	Timothy Owoeeye	Ilesa East	Minority Leader	AC	Non-Ranking
06	J.O. Ogunleye	Atakunmosa E/W	Chief Whip	PDP	Ranking
07	Adegboye, A.	Osogbo	Minority Whip	AC	Non-Ranking
08	Oyekun, D. M	Odo-Otin	Whip, Chair. Com. Ind & Coop.	PDP	Non-Ranking
09	Omolola, A.	Ayedire	Whip	PDP	Non-Ranking
10	Ogunleye, A.O	Oriade	Whip, Chair Youth Sport & Cul.	PDP	Non-Ranking
11	Ajibola, O.K.	Olorunda	Member	AC	Non-Ranking
12	Araoye, S.O	Ola-Oluwa	Chair. Public Works &Transport	PDP	Non-Ranking
13	Oyejide, G.K	Irewole/Isokan	Chairman, Public Accounts	PDP	Non-Ranking
14	Ayanbeku, A.D	Ife South	Chair. Local Govt. & Trad. Inst.	PDP	Non-Ranking
15	Oyedele K. Tope	Irepodun/Orolu	Member	AC	Non-Ranking

S/N	NAME	CONSTITUENCY	POSITION	PARTY	REMARKS
16	Salinsile, R. A.	Iwo	Chairman on Health	AC	Non-Ranking
17	Samson, O. F.	Obokun	Member	AC	Non-Ranking
18	Binuyo I.A.	Ife North	Chairman, Ethics & Privileges.	AC	Non-Ranking
19	Abiodun S.I.	Ifedayo	Member	PDP	Non-Ranking
20	Adeyeye, M.O.	Ife East	Chairman, Agric & Animal Sc.	PDP	Non-Ranking
21	Ademola, O	Boripe/Boluwadu.	Chairman, House Services	PDP	Non-Ranking
22	Salaam, N.F.	Ejigbo	Chairman, Water Resources	AC	Non-Ranking
23	Awolola, A.A	Egbedore	Chair pub. Serv. Mat Lab& Emp	AC	Non-Ranking
24	Fafowora Folarin	Ilesa West	Member	AC	Non-Ranking
25	Ajiboye, A. A.	Ila	Chair. Land Hous Com. Dev. & Envr.	AC	Non-Ranking
26	Idiat, Oluyemi B.	Ede South	Chair Judiciary & Human Right Public Petitions & Legal Matters	PDP	Non-Ranking

Source: Researcher's Compilation from the official Documents of Osun State House of Assembly

In June 2011 another House emerged (Osun State 5th House of Assembly, 2011-2015) after the general elections of 2011. This House was also dominated by non-ranking members, though there was an improvement in the number of ranking members from four ranking members in the previous 4th Assembly to nine ranking members in the 5th Assembly constituting 35 percent of the twenty-six House members and putting the turnover rate at 65 percent. The table 33 on the next page shows the ranking and non-ranking members of the Osun State House of Assembly from 2011 to 2015.

Table 33: Ranking and Non-Ranking Members of Osun State 5th House of Assembly, 2011-2015

S/N	NAME	CONSTITUENCY	POSITION	PARTY	REMARKS
01	Salaam, N.F.	Ejigbo	Speaker	ACN	Ranking
02	Adegboye, A.	Osogbo	Deputy Speaker	ACN	Ranking
03	Owoeye, Timothy	Ilesa East	Leader of the House	ACN	Ranking
04	Binuyo, I. A	Ife North	Chief Whip	ACN	Ranking
05	Afolabi, A	Ifedayo	Deputy Leader	ACN	Non-Ranking
06	Taiwo, A. Adeyemi	Ayedaade	Deputy Chief Whip	ACN	Non-Ranking
07	Afolabi, O. Rasheed	Ifelodun	Central Senatorial Whip	ACN	Non-Ranking
08	Ibraheem, M.B.O	Oriade	East Senatorial Whip	ACN	Non-Ranking
09	Akinloye, A.O.	Ola-Oluwa	West Senatorial Whip	ACN	Non-Ranking
10	Komolafe, F.B.	Atakunmosa E/W	Member	ACN	Non-Ranking
11	'Leke Ogunsola A.	Ayedire	Member	ACN	Non-Ranking
12	Bello, D.O	Boripe/Boluwadu	Member	ACN	Non-Ranking
13	Akanbi,K.A	Ede North	Member	ACN	Non-Ranking
14	Ojo, Johnson, A.	Ede South	Member	ACN	Non-Ranking
15	Awolola, A.A	Egbedore	Member	ACN	Ranking
16	Adetilewa S	Ife Central	Member	ACN	Non-Ranking
17	Olusegun, B. S	Ife East	Member	ACN	Non-Ranking
18	Oladoyin, O. F.	Ife South	Member	ACN	Non-Ranking
19	Ajiboye, A. A	Ila	Member	ACN	Ranking
20	Fafowora, F.A	Ilesa West	Member	ACN	Ranking
21	Oyedele, Kamil T.	Irepodun/Orolu	Member	ACN	Ranking
22	Olanreaju Maruf A.	Irewole/Isokan	Member	ACN	Non-Ranking
23	Adeyemo Adedibu E	Iwo	Member	ACN	Non-Ranking
24	Samson Fafiyebi O.	Obokun	Member	ACN	Ranking
25	Adeyemi Rasaq A.	Odo-Otin	Member	ACN	Non-Ranking
26	Adebayo Wasiu G.	Olorunda	Member	ACN	Non-Ranking

Source: Researcher's Compilation from the official Documents of Osun State House of Assembly

The table 34 and figure 2 summarize the retention and turnover rates of Osun State House of Assembly from 1999 – 2015. The Table and figure also indicate the average retention and turnover rates of members in Osun State House of Assembly during the periods under review as 14.4 percent and 85.6 percent respectively.

Table 34: Retention and Turnover Rates of Osun State House of Assembly, 1999-2015

Legislative Sessions	Incumbent' Legislators	Re-elected Members	Retention Rate	New Members	Turnover Rate
2nd Assembly, 1999-2003	26	Nil	Nil	26	100%
3rd Assembly, 2003-2007	26	02	08%	24	92%
4th Assembly, 2007-2011	26	04	15%	22	85%
5th Assembly, 2011-2015	26	09	35%	17	65%
Total/Average Retention & Turnover Rates	104	15	14.4	89	85.6%

Source: Researchers' Field Survey, 2017

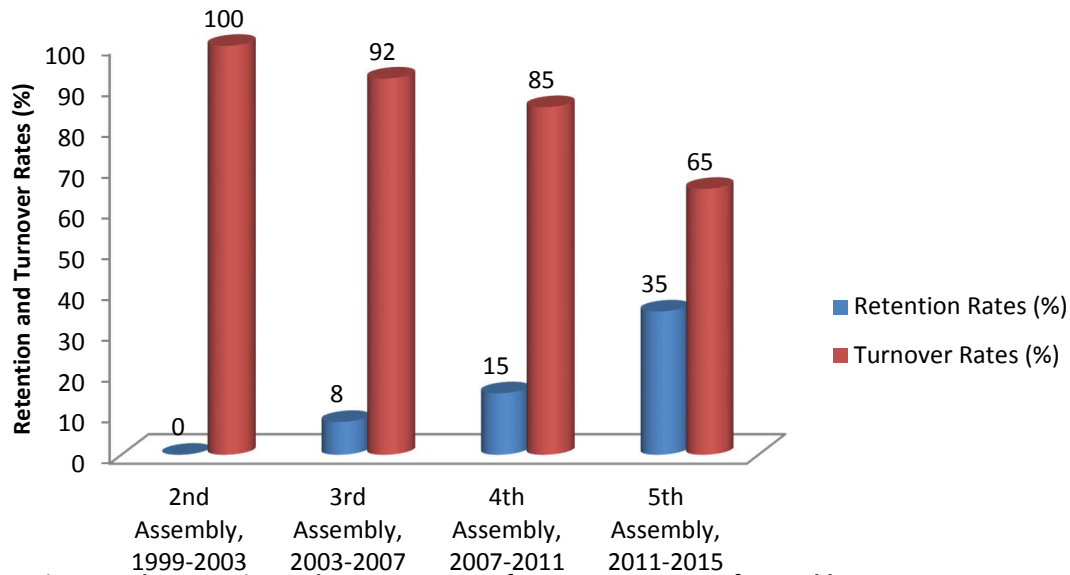


Figure 2: The Retention and Turnover Rates of Osun States House of Assembly, 1999-2015 (Average Retention and Turnover Rates are 14.4% and 85.6% Respectively)

Source: Researcher's Field Survey, 2017

It is seen in the analysis and findings so far that Osun State House of Assembly lacks experience legislators that are better inform and equipped with necessary legislative skills and knowledge needed to hit the ground running. No wonder, that Hon. Timothy Owoeye, Majority leader who has been a member of Osun state Assembly since 2007 was complaining that non-ranking members are slowing down the legislative process in the House particularly in the 2nd and 3rd Assembly of Osun State that have 100 percent and 92 percent turnover rate respectively. He went further to say that: at the beginning of every legislative session, it is like the Assembly is starting all over again and the new members need a lot of training and orientation which could take a longer time (Hon. Owoeye, 2017). Besides, some legislative scholars have also identified the negative impacts of high membership turnover on legislative performance across legislatures in the world (see Ogundiya and Baba, 2014; Oni, 2013; Fashagba, 2009; Matland and Studlar,

2004). The next section examines the effects of high membership turnover on legislative performance in Osun State.

6.5.1 Effects of Turnover Rates on Lawmaking function in Osun State Assembly

This section examines the effects of membership turnover on lawmaking function of the legislators in Osun State House of Assembly from 1999 to 2015. In chapter two of the literature review some of the conceptual issues; theoretical perspectives and conclusions on how membership turnover influence the performance of legislatures were examined. From the empirical point of view, therefore, how does the membership turnover influence the performance of the Osun State legislators on their primary function of law making? The legislature in Osun State like any other States Assemblies in Nigeria is empowered by the constitution to make laws. This function is often seen as the key role of the legislatures and indeed the most challenging one. The legislature is the main mechanisms through which modern states make laws, regulations, and grundnorms that form the basis on which state is governed.

Lawmaking is the fundamental responsibility of the legislature in a democratic state (Esebagbon, 2005). According to Section 4 of the 1999 Constitution, the primary function of the legislature is to make law for the peace, order and good governance of the federation. The legislation, therefore, occupies a leading place in modern governance as it provides the needed legal authority for governmental actions for the peace, order and good governance. The law making responsibility in a state is conferred on the House of Assembly by Section 4 (6) and (7) of the 1999 Constitution of the Federal Republic of Nigeria which state that the legislative power of a State of the Federation shall be vested in the House of Assembly of a State which shall have the power to make law for the peace, order and good government of the State.

In addition to that, section 100 (1) of 1999, CFRN also stated thus:

The power of the House of Assembly to make laws shall be exercised through bills passed by the House of Assembly and, except as otherwise provided by this section, assented to by the Governor.

A bill may be introduced or initiated by a member of the assembly or a group of members of the House (Private member's bill) or emanates from the executive (executive bill).

Sub-section (2) on the other hand, states that:

A bill shall not become law unless it has been passed and, subject to sub-section (1) of this section, assented to in accordance with the provisions of this section.

Subsection (3) also, stipulates that: where a bill has been passed by the House of Assembly it shall be presented to the governor for assent (CFRN, 1999). More so, sub-section (4) states that: Where a bill is presented to the Governor for assent that shall within thirty days thereof signify that he assents or that he withholds assent (s.58 (4), CFRN, 1999). Accordingly, sub-section (5) stipulates that: Where the Governor withholds his assent and the bill is again passed by the House of Assembly by two-thirds majority, the bill shall become law and the assent of the Governor shall not be required (s.58 (5), CFRN, 1999). To this end, the legislature has overriding powers in law-making. Perhaps, it is in the light of this that Esebagbon (2005) argues that:

The principal function of the legislature under the 1999 Constitution is to make laws. It is in the exercise of this function that legislative assemblies acquire this distinctive character and take their rightful place within the structure of government. It is this lawmaking power that places the legislature as an independent organ of government that is of coordinate status with the Executive and the Judiciary. *The legislature exercises its main constitutional functions through legislation (Esebagbon 2005:5).*

It is in view of the primacy of this function (law-making) to the smooth running of every democratic government that this section seeks to examine the effects of high turnover rate of Osun State House of Assembly members on their law making function. The number of bills passed and their initiators in the House, from 1999 - 2015 were used as performance indicators. Besides, former and present legislators and legislative staff of OSHA were also interviewed to know their views on the effect of membership turnover on law-making function in Osun State Assembly.

Table 35: The List of Bills Passed by the Osun State 1st Assembly, 1992 - 1993

S/N	Title of Bills Passed	Initiators
01	Authentication and Recording of Law, 1992	Executive
02	Appropriation law, 1992	Executive
03	Establishment of Osun State Christian Pilgrims Welfare Board Law, 1992	Executive
04	Establishment of Osun State Muslim Pilgrims Welfare Board Law, 1992	Executive
05	Advisory Council on Prerogative of Mercy Law, 1992	Executive
06	High Court (Amendment) Law, 1992	Executive
07	Water Corporation of Osun State Law, 1992	Executive
08	Osun State Art and Culture Law, 1992	Executive
09	Osun State Library Law, 1992	Executive
10	Osun State Property Development Corporation Law, 1992	Executive
11	Osun State Broadcasting Corporation Law, 1992	Executive
12	Osun State Hospital Management Board Law, 1992	Executive
13	Sports Council of Osun State Law, 1992	Executive
14	Osun State Environmental Protection Commission Law, 1992	Executive
15	Osun State Publication Law, 1992	Executive

S/N	Title of Bills Passed	Initiators
16	Osun State Polytechnic Iree Law, 1992	Executive
17	Osun State College of Technology, Esa-Oke Law, 1992	Executive
18	Supplementary Appropriation Law, 1992	Executive
19	Legislature and Judiciary Self Accounting Law, 1992	Executive
20	Appropriation Law, 1993	Executive

Source: Researcher's Compilation from the official Documents of Osun State House of Assembly

The 1st House of Assembly of Osun State, 1992 – 1993, during the aborted 3rd Republic passed twenty bills into law and all the bills were executive bills, no single bill was initiated by the House member as represented in the table 35 above. This implies that no legislator has the capacity to initiate a bill and pass it into law in the 1st Assembly of Osun State.

Though, we should not be taken by surprise because apart from being dissolved abruptly after the annulment of June 12, 1993, general election, there was no precedence for the House it was the maiden Assembly of Osun State since its creation on August 27, 1991. Both the members and the institution were new. Perhaps, these may be the reasons why the members could not initiate and pass a single private member bill into law during this session, 1992 – 1993.

Table 36: The list of Bills Passed by Osun State 2nd Assembly, 1999 - 2003

S/N	Title of Bills Passed	Initiator
01	Appropriation Law, 2000	Executive
02	Customary courts (Amendment) Law, 1999	Executive
03	Permanent Board of Enquiry (dissolution and Prohibition) Law, 2000	Executive
04	Public/Political Office Holder (Remuneration Package) Law, 2000	Executive
05	Supplementary Appropriation Law, 2000	Executive
06	Laws Authentication Law, 2000	Executive
07	Osun State House of Assembly (Self Accounting) Law, 2000	Executive
08	Advisory Council of the State on the Prerogative of mercy Law, 2000	Executive
09	Year 2000 Supplementary Appropriation Law	Executive
10	Local Government Administration Law, 2001	Executive
11	Political Office Holders (Remuneration Package) Amendment Law	Executive
12	Education (Primary School Special Provisions) Amendment, 2001	Executive
13	Rent Control and Recovery of Premises Law, 2001	Executive
14	Osun State Order of Precedence of Public Offices and other Persons (2001)	Executive
15	Year 2001 Appropriation Law	Executive
16	Public/Political Office Holders (Amendment) Law 2001	Executive
17	Pension (Governor and His Deputy) Law of Osun State, 2001	Executive
18	Osun State Independent Electoral Commission Law, 2001	Executive
19	Osun State Environment Protection Agency (Amendment) Law, 2001	Executive
20	Osun State Council of Obas and Chiefs Repeal Law, 2001	Executive
21	Agricultural Development Cooperation Law, 2001	Executive

S/N	Title of Bills Passed	Initiators
22	Public/Political Office Holders (Amendment) Law, 2002	Executive
23	Revised Edition of the Law, 2002	Executive
24	Local Government Electoral Law, 2002	Executive
25	Auditor-General for Local Governments (Abolition and Re-designation) Law, 2002	Executive
26	Appropriation Law, 2002	Executive

Source: Researcher's Compilation from the official Documents of Osun State House of Assembly

Osun State 2nd House of Assembly, 1999 – 2003 passed twenty-six bills into law and just like the 1st House of Assembly in Osun State, the 2nd House of Assembly did not record private members' bill all the twenty-six bills were initiated by the executive. This could not be divorced from lack of previous legislative experience by the entire House members. Because nobody among the forty-six members of the 1st House of Assembly was re-elected in 1999 when the country was re-democratized. The members devoted more time to learning procedures, processes, rules, norms, and conventions of a legislative organization. This development is not limited to the Osun State House of Assembly alone it also affects other State assemblies in the country and the National Assembly where majority of the Senate members and the House of Representative members were elected into the legislature for the first time. Therefore, to make up for this lack of legislative experience, a number of orientation and training programmes were organized to acquaint the legislators with the basic knowledge and skills of legislative work.

Table 37: The list of Bills Passed by Osun State 3rd Assembly, 2003 - 2007

S/N	Title of Bills Passed	Initiator
01	Local Government Administration (Amendment) Law, 2002	Executive
02	Governor and Deputy Governor (Amendment) Law	Executive
03	The year 2004 Appropriation Law	Executive
04	Council of Obas (Re-composition) Law	Executive
05	Electoral Law (Amendment) Law	Executive
06	Local Government Administration (Amendment) Law, 2003	Executive
07	Agency for Poverty Reduction Law	Executive
08	Osun State Council of Obas Re-composition (Amendment), Law	Executive
09	2004 Supplementary Appropriation Law	Executive
10	The year 2005 Appropriation Law	Executive
11	Osun State Girl Child Marriage (Prohibition) Law, 2004	Executive
12	Osun State Female Circumcision and General Mutilation (Prohibition) Law.	Executive
13	Osun State Agricultural Development Programme Law, 2005	Executive
14	Osun State Agricultural Development Programme Law, 2005	Executive
15	Public/Political Office Holders (Amendment) Law, 2007	Executive
16	Osun State Secret Cult (Prohibition) Law, 2005	Executive
17	Osun State School of Health Technology (Establishment) Law, 2005	Executive
18	Osun State Universal Basic Education (Primary and Secondary School) Law, 2005	Executive
19	Osun State local Government Staff Loans Board Law, 2006	Executive
20	Osun State Registration / Renewal of Business/Professional Premises Mobile Court (Establishment) Law, 2006	Executive
21	Osun State Micro-Credit Agency (Establishment) Law, 2006	Executive
22	Osun State Appropriation Law, 2007	Executive
23	Osun State House of Assembly Service Commission (Establishment) Law, 2006	Executive
24	Osun State University (Establishment) Law, 2006	Executive
25	Osun State Appropriation Law, 2007	Executive
26	District Customary Court & Customary Court (Establishment) Law, 2007	Executive
27	Customary Court of Appeal (Establishment) Law, 2007	Executive
28	Osun State Rural Water & Environmental Sanitation Agency Law, 2006	Executive
29	Osun State University Development Fund (Establishment) Law, 2007	Executive

Source: Researcher's Compilation from the official Documents of Osun State House of Assembly

In the Osun State 3rd House of Assembly, 2003 – 2007 twenty-nine bills were passed into law. Though there was no single private member bill as shown in table 37, all the bills were executive bills just like the previous Assemblies in the State, but there was little improvement in their lawmaking performance in terms of a number of bills that were passed into law. Perhaps, this could be as a result of two ranking members that were in this House.

Table 38: The list of Bills Passed by Osun State 4th Assembly, 2007 - 2011

S/N	Title of Bills	Initiator
01	Osun State Property Development Corporation (Establishment) Law, 2006	Executive
02	Osun State Emergency Management Agency Law, 2007	Executive
03	Osun State Revenue Generation Law, 2007	Executive
04	Child Right Law, 2007	Executive
05	Osun State Supplementary Appropriation Law, 2007	Executive
06	Osun State Forestry Law (Amendment) Law, 2007	Executive
07	Osun State Appropriation Law, 2008	Executive
08	Supplementary Appropriation Law, 2009	Executive
09	Center for Black Culture & International Understanding Law, 2008	Executive
10	Osun State High Court (Amendment) Law, 2008	Executive
11	Osun State Appropriation Law, 2009	Executive
12	Public/Political Office Holders Remuneration Package (Amendment) Law, 2008	Executive
13	Osun State Public Procurement Law, 2009	Executive
14	Osun State Agency for Community & Social Development Law, 2009	Executive
15	Osun State Planning Commission Law, 2009	Executive
16	Osun State Contributory Pension Law, 2008	Executive
17	Osun State Road Traffic (Amendment) Law, 2009	Executive
18	Osun State University Teaching Hospital (Establishment) Law, 2009	Executive
19	Osun State Prohibition of Smoking in Public Places Law, 2009	Executive
20	Osun State Appropriation Law, 2010	Executive
21	Osun State Appropriation Law, 2011	Executive

Source: Researcher's Compilation from the official Documents of Osun State House of Assembly

The Osun State 4th House of Assembly, 2007-2011 passed twenty-one executive bills into law which shows a reduction in the number of bills passed into law by the 4th House compared to the twenty- nine executive bills that were passed into law by the 3rd Assembly, 2003-2007, despite the increase in the number of ranking members from two members in the 3rd House of Assembly to four in the 4th House of Assembly. It was believed that the twenty-two non-ranking members of the House will be supported by the four ranking members to integrate easily into the institution. The assumption here is that the 4th Assembly will do relatively better than the 3rd Assembly that had higher rate of turnover. The performance indicator (number of bills passed into law) however had shown contrary. If the number of law is an important performance indicator for a legislature, then the 3rd House of Assembly that had lower number of ranking members performed better than the 4th Assembly, which had higher number of ranking members. The researcher sought for reasons for this contradictory finding in his interview with the law-makers and the legislative staff of the OSHA. Some of the reasons adduced for the low performance of the 4th Assembly by one of the respondents were that the 4th House of Assembly was controlled by two political parties, Peoples Democratic Party (PDP) with fourteen members and Action Congress (AC) with twelve members, and there was unhealthy rivalry between the ruling, PDP and the opposition party, APC. Meanwhile, the 3rd House of Assembly in Osun State was controlled by only one political party, People Democratic Party (PDP) as shown in table 31 and table 32 above. Besides, there was crisis between the PDP and AC members in the House over the payment of state constituencies allowance money into the personal account of House members contrary to the position of the opposition party, AC in the House (Interview, Hon. Kamil, March 2017). More so, the victory of executive governor in the state governorship election was also being challenged in an electoral tribunal by the

opposition party, AC over alleged irregularities of the 2007 gubernatorial election. Therefore, the aftermath electoral litigation against the sitting governor, Chief Olagunsoye Oyinlola was the major distraction that accounted for the relatively low performance of the 4th House of Assembly in Osun State.

Table 39: The list of Bills Passed by Osun State 5th House of Assembly, 2011 - 2015

S/N	Title of Bills Passed	Initiator
01	Osun State Agency for the Control of HIV/AIDS (O-SACA) Law, 2011 (Hon. Afolabi Atolagbe, Ifedayo)	Member
02	Osun State Appropriation Law, 2012	Executive
03	Osun State Public Procurement (Repeal) Law, 2012	Executive
04	Local Government Administration (Amendment) Law, 2012	Executive
05	State of Osun Legitimacy (Repeal) Law, 2012	Executive
06	State of Osun Bonds, Notes & Others Securities Issuance Law, 2012	Executive
07	State of Osun Debt Management Office (Establishment) Law, 2012	Executive
08	Osun State Center for Black Culture and International Understanding (Amendment) Law, 2012	Executive
09	State of Osun (Omoluabi) Conversion Fund Law, 2012	Executive
10	State of Osun Fiscal Responsibility Law, 2012	Executive
11	State of Osun Security Trust Fund Law, 2012	Executive
12	State of Osun Anthem, Crest and Flag Law, 2012	Executive
13	State of Osun Revenue Administration Law, 2012	Executive
14	Local Government Administration (Amendment No. 5) Law, 2013	Executive
15	State of Osun Appropriation Law, 2013	Executive
16	State of Osun Building and Civil Engineering (Construction) Materials Quality Control Laboratory Law, 2013	Executive
17	State of Osun Protection Against Domestic Violence Law, 2013	Executive
18	State of Osun Highways (Removal of Obstructions) Law, 2013	Executive
19	State of Osun Appropriation Law, 2014	Executive
20	State of Osun Tertiary Institutions Staff Retirement Age Law, 2014	Executive
21	State of Osun Signage, Hoarding and Advertisement Bill, 2013	Executive
22	State of Osun Mass Education Agency (Establishment) Bill, 2013	Executive
23	State of Osun Livestock Roaming Bill, 2015 (Hon. Afolabi Atolagbe, Ifedayo)	Member

S/N	Title of Bills Passed	Initiators
24	State of Osun Local Government Areas Creation and Administration Bill, 2015	Executive
25	State of Osun Mishandling of Opon-Imo (Tablet of Knowledge) Prohibition Bill, 2015 (Hon. Ipoola Binuyo, Ife North)	Member
26	State of Osun Water Sector Bill, 2015	Executive
27	State of Osun Hotel and Other Tourism Industry Enterprises Licensing Authority (Establishment) Bill, 2015 (Hon. Tilewa Sijuwade, Ife Central)	Member

Source: Researcher's Compilation from the official Documents of Osun State House of Assembly

The Fifth House of Assembly in Osun State, 2011-2015 had the highest number of ranking members among the legislative sessions under the study. The ranking members were nine members (35 percent) while the non-ranking members were seventeen members (65 percent) as stated earlier under the legislative turnover rate in Osun State. The numbers of bills passed into law in the 5th House of Assembly of Osun State were twenty-seven out of which twenty-three bills (85 percent) were executive bills and the remaining four bills 15 percent were private member bills. This was the first time that Osun State House members will pass private members' bills into law in the legislative history of the state. The four private members' bills and their sponsors are as follow (i) Osun State Agency for the Control of HIV/AIDS (O-SACA) Law, 2011 sponsored by Hon. Afolabi Atolagbe representing Ifedayo State constituency; (ii) State of Osun Livestock Roaming Bill, 2015 sponsored by Hon. Afolabi Atolagbe representing Ifedayo State constituency; (iii) State of Osun Mishandling of Opon-Imo (Tablet of Knowledge) Prohibition Bill, 2015 sponsored by Hon. Ipoola Binuyo, representing Ife North State constituency; and (iv) State of Osun Hotel and Other Tourism Industry Enterprises Licensing Authority (Establishment) Bill, 2015 sponsored by Hon. Tilewa Sijuwade, Ife Central State constituency as depicted in table 39 above.

Table 40: Distribution of the Bills Passed and their initiator by the Osun State House of Assembly across the Legislative Sessions, (1999-2015)

Legislative Sessions	No. of Bills Passed	Executive Bills/ %	Private Bills/ %
2nd Assembly (1999-2003)	26	26 (100%)	Nil (0%)
3rd Assembly (2003-2007)	29	29 (100%)	Nil (0%)
4th Assembly (2007-2011)	21	21 (100%)	Nil (0%)
5th Assembly (2011-2015)	27	23 (85%)	04 (15%)
Total	103	99 (96%)	4 (4%)

Source: Researcher's Field Survey, 2017

Table 40 above indicates that all the bills that were passed into law from the 2nd Assembly to the 4th Assembly in Osun State were executive bills. It was only the 5th Assembly that had four private members' bills (15 percent) out of twenty-seven bills that were passed into law between 2011 and 2015. These executive dominated bills in the House demand investigation which the researcher investigated through the Key Informant Interview (KII).

One of the interview questions is stated thus: Available record shows that majority of the bills that were passed into laws were executive bills. What can you say on this?

Basically, we have two types of bills, executive bill, and private member bill. Though I don't want to say because we are having many new members that is what is affecting private member bills, some have spent 10 years here they have never sponsored a bill. Maybe it depends on individual orientation or interest. During the inauguration, we do educate them that it is very important to initiate bills. In the 5th assembly, one of them initiated two private member bills and the two bills scale through (Amusan, 2017).

I shared my findings from some of the legislators that I interviewed with Mr. Amusan, Director of Legislative Matters, OSHA during our interview session that: most of the Hon. Members that granted me interview complained about lack of money and other resources like experts' assistance to developing the bill and these are readily available to the executive.

Anyway, to the best of my knowledge which may not be totally right. It is not how long a bill is but the substance of the bill, a bill could be a page or two pages or an amendment to the existing one. We have lawyer here at no cost, maybe they are talking about the cost of stationeries (Amusan, 2017).

Hon. Nurein (2017) stated that:

We shouldn't be surprised that most of the bills are executive bills because the executive is saddled with the responsibilities of initiating the bills. Therefore, the processes concerning those responsibilities lie with them. The executive has the materials and resources to carry out these responsibilities. A bill has to pass through so many processes: i). it has to be drafted; ii). if it requires public hearing you have to sponsor it because you want to make a name, if it gets to the level of public hearing, that is when you will know it is not a tea party affairs because you have to invite all the necessary stakeholders that are concerned with the bills and in most cases individuals don't have such resources. The only avenue is to co-sponsor a bill, you can co-sponsor a bill with your colleagues and it will be there in the title that the bill sponsors by Hon. Lagbaja and his colleagues. It is very expensive for an individual to sponsor a bill.

Hon. Owwoeye (2017) in his opinion noted that:

The reasons for executive dominated bills include: i) lack of executive support, most of bills propositions by members are not receiving executive support because, the executive sees it as a way of usurping its power, ii) hegemonial nature of executive and, iii) financial and technical support that is readily available to executive are some of the reasons for executive dominated bills across the states assembly in Nigeria.

Hon. Ibrahim (2017) in his views argued that:

The visions of executive may call for some bills and you cannot interpret the drummer's unless it gives you the interpretation. Besides, there is no financial provision for private member bills; the members use their own personal money to sponsor a bill. It makes it difficult because you need so many researches and helping hands like services of lawyer particularly lawyers that are good in legislative drafting. A private member bill may be thrown out at introduction stage. For instance, a member of the 5th Assembly introduces crimination bill meant to ensure that corpse are criminated. The bill was struck out on ground of cultural belief and religions.

According to Hon. Kamil, Chairman, House Committee on Finance and Appropriation, finance is the major constraint for member to sponsor bill because many of the legislative Houses in Nigeria do not have financial autonomy (Kamil, 2017).

Another interview question is stated thus: Does experience matter for legislator to initiate and pass bill into law?

Hon. Owoeye (2017) responded that:

The similitude of ranking members and non-ranking members are like comparing somebody that has gotten university certificate with someone that has primary school certificate. They are so different from each other, for example, in a situation where the House has a bill to pass, starting from the title of the bill, preamble, and the citation. The ranking members will know what to correct, what to add or remove from the bill while the new members will still be waiting for what to do or say on the bill.

In the same vein, Hon. Nurein Adebisi (2017) also said that:

The new members find it so difficult to sponsor bill. Some of our new members have tried to sponsor one or two bills but the bills were thrown out at the introductory level, this is because the new members don't know the process of sponsoring a bill.

The above-stated submissions by the two serving members of the OSHA led the researcher to the next question which stated thus: How long does it take a new member to learn the legislative process? Some of the respondents' views are as follow:

A year, within a year, so many bills will become laws, public hearing will be conducted and some other legislative activities such as appropriation law that will expose members to different aspect of legislative responsibilities will be carried out (Amusan, 2017).

Hon. Adebisi, Chairman, House Committee on Lands, Physical Planning and Urban Development in the OSHA submitted that:

It depends on the level of preparedness of members. I take myself for example, apart from the house rules, the conduct and modalities which new members must take time to learn, I don't see any other areas that I need to prepare for, is it in the area of contributing to the motion or debating the content of a law? All these and other responsibilities in the House depend on the level of individual member preparedness (Adebisi, 2017).

Hon. Ibrahim (2017) also stated that:

There is no specific time or duration for acquiring the necessary knowledge or skill; it all depends on individual's nature in term of ability or how far you can learn. In addition to that, he stated further that legislators' punctuality could not be disregarded because, if the legislator is a truant definitely there is no way he could know the rudiment of the legislative activities.

Hon. Kamil, a ranking member, who has been in the House since 2007 argued that:

New members need two to three years to acquaint themselves with legislation process because every activity in the House has rules and regulations that are guiding it. For instance, lawmakers must learn how to initiate bill, how to submit it and all other procedures till it becomes law and all these require two to three years to comprehend fully (Kamil, 2017).

A non-ranking member, Hon. Dipo (2017) who is representing Ife central in Osun State House of Assembly noted that:

It depends on individual some members are in the House to make money while some other has the zeal to learn the job. For instance, you hardly see anybody in the office now but I am here because I want to learn, I have read some newspapers and materials today which I believe can boost my contribution in the House.

In the same manner, Director of Training and Research, Osun State House of Assembly argued that the length of time spent in the House does not really matter in initiating and passing of

bills by members what matter most is the quality of elected members of the House whether at the State or National Assembly. If a well-qualified person in term of educational qualification and private or public sector experience with vision of becoming accomplished legislators is elected, the performance of such member in term of law making and other primary responsibilities of legislators will be better than any ranking member without required academic qualification and experience. For example, anybody that attended university should be able to integrate easily than the secondary school certificate holder who may find it difficult to initiate bill; move motion or contribute to debate in the House. But for those who have acquired knowledge and experience within a short time, they will integrate because there are so many facilities around them in the House to make them catch up easily such as legislative aides and other technocrats who are trigger ready, always anxious to put legislators through (Awoyemi, 2017).

Another interview question that seeks to investigate the effects of high turnover rate of members on lawmaking performance is stated thus: Does the high rate of new members reduce the number and quality of bills' passed in the House?

The respondents' views are as follow:

Hon. Nurein (2017) noted that:

The high rate of new member neither reduce the number nor quality of bills passed in the House. It all depends on the timetable of the entire Assembly, if the House of Assembly decides to pass a certain number of bills into laws within certain period of time, it is achievable not minding whether you have new members or not because it is a matter of priority.

The high rate of non-ranking members in the House could not reduce the quality of bills because the ranking members that are there will use their experience to sort out any shortcoming of the bills before passing it into laws (Hon. Owwoye, 2017).

The above submissions were also supported by Hon. Ibrahim, (2017) that:

The high rate of new members in Osun State House of Assembly will not reduce the number of bills that will become laws. This is because many of us are professionals from all walks of life and we bring our private practice experience to the House.

Contrary to the above-stated views, Hon. Kamil (2017) submitted that:

The high rate of new members reduces the numbers and quality of bills a time if you have a mixture of House that has no legislative competency; it brings down the number of bills that become laws because some legislators may be talking and arguing blindly which could slow down the passage of bills into laws.

6.5.2. Effects of Turnover Rates on Oversight Function in Osun State House of Assembly

The performance of oversight function over the executive arm of government is another important role of the modern legislature irrespective of the form of government in practice. The legislature ensures accountability and transparency and serves as a watchdog for public funds and resources. It checks other organs of government from being overbearing in the discharge of their duties. It is through the oversight functions that the legislature regularly exercises its checks and balances power on another organ of government especially in democracies where bureaucracies and institutions are relatively underdeveloped and corrupt (Edosa and Azelama, 1995). Saliu and Muhammad (2010) indicate that legislative bodies take active role in understanding and monitoring the performance of the executive arm and its agencies. The legislature oversees government affairs and holds the person responsible for any actions and omissions. Adebayo (1986) reveals that legislative oversight cross-checks the executive by examining the activities of some chief executive, Ministries, Departments, and Agencies (MDA) of government. The commonwealth parliamentary association (2002) asserts that the principle

behind the legislative oversight is to ensure that public policy is administered in accordance with the legislative intent.

The legislative function does not end only with the passage of bills but also a follow-up during the implementation of such law. It is the responsibility of the legislature to ensure that such laws are being implemented effectively. John Stuart Mill (1862) cited in (Ornstein, 1992) argues that the legislature acts as the eyes, ears, and voice of the people, he asserted further that:

The proper office of a representative assembly is to watch and control the government: to throw the light of publicity on its acts, to compel a full exposition and justification of all of them which any one considers questionable; to censure them if found condemnable. In addition to this, the parliament has an office to be at once the nation's Committee of Grievances, and its Congress of Opinions (Ornstein, 1992).

Stapenhurst et al. (2006) also noted that 'In most countries, the legislature is constitutionally mandated as the institution through which governments are held accountable to the electorate'. The role of oversight of executive administration thus specifically entails: scrutinizing and authorizing revenues and expenditures of the government and ensuring that the national budget is properly implemented. The constitutional power to partake in budgetary appropriation gives the legislature needed political influence to shape governance, and possibly carry out reforms that are sustainable. In this regard, Saffell (1989) asserted that 'no function of the Congress is more jealously guarded or more basic to administrative control than the power of the purse'. In the same manner, Posner and Park (2007) affirmed that 'Legislatures in some countries have gained a role in approving macro-fiscal frameworks'. The Nigerian legislature belongs to the class of legislative assemblies vested with preponderance of power over fiscal matters.

Like other legislatures, Osun State House of Assembly performs oversight functions through committees charged with overseeing the government ministries, Departments, and

Agencies (MDAs). Popular examples of such committees are House Committee on Appropriation, House committee on power, House committee on external affairs and House committee on ethics and privileges among others. The increased national and international attention on government corruption in recent years have led to a greater attention on this aspect of parliamentary responsibility.

This section assesses the effect of legislators' experience on oversight function of OSHA. To achieve this research objective, different questions were raised throughout the interview with the key actors in oversight functions. One of the questions is stated thus:

Do you think legislators' experience matter in carrying out the oversight functions?

The following are some of the respondents' views:

Definitely, experience is the best teacher, because you cannot compare ranking members with non-ranking members in term of their oversight capacity and investigatory skills. This is what they have been doing repeatedly and they have gathered experience over the years that could make them perform better than their new colleagues in their assigned committees' oversight responsibilities (Hon. Nurein, 2017).

In the same vein, Hon. Owoeeye (2017) also argued that:

Experience is the best teacher, for example, this is my tenth years in the House, if my committee goes out for oversight functions in any ministry my experience will definitely count because I know what and what not to do to get the necessary information that is needed by committee about the MDA visited.

Therefore, to reduce the negative effect of high turnover rate of members on oversight function, the House should ensure that a ranking member is included while composing the committee members. There is no way we can bring all old members back to the House it is not possible. To bring the negative effect of new members to minimal level the committee in the

House usually comprise of five members and a ranking member is included to guide the new members (Owoeye, 2017).

Similarly, Hon. Dipo (2017) also supported that, high rate of non-ranking member affects the oversight activities of lawmakers negatively because there will be too much burden on the few ranking members and all-important assignment of committee is usually assigned to them. This has been affecting the effectiveness of committees on their different oversight functions.

Hon. Abdulahi (2017) said that:

I am a new member and with my experience here, 2nd and 3rd timers are no doubt better than most of us not only on oversight functions but also on other parliamentary responsibilities because of its technicalities. Now that the state is not forthcoming on membership training because of the economic recession, ranking members are mentoring us.

Every State or National Assembly needs ranking members to be assertive and effective in their oversight responsibilities. Because the ranking members would have gathered the relevant experience that will assist them in overseeing the Ministries or Agencies under their jurisdictions (Abdulahi, 2017).

Mr. Amusan, Director of Legislative Management, OSHA disclosed that:

Ranking members will perform better than the greenhorn legislators because of the experience they have acquired over time. However, whether you are a returnee or new member there are facilities around you that will put you through it depends on how they prepared to learn (Amusan 2017).

Table 41: Performance Rating of Ranking and Non-Ranking Members on oversight function in Osun State House of Assembly.

Ranking Member			
Performance Rating	Low	Moderate	High
41 Respondents	0 (0%)	7 (17%)	34 (83%)
Non-Ranking Member			
Performance Rating	Low	Moderate	High
41 Respondents	0 (0%)	25 (61%)	16 (39%)

Source: Researcher's Field Survey, 2017

Table 41 above indicates that:

- i. No respondent rated ranking members low, 7 respondents (17 percent), rated them moderate, while 34 respondents (83 percent) rated them high in their oversight functions.
- ii. No respondent rated non-ranking members low, 25 respondents (61 percent) rated them moderate, and 16 respondents (39 percent) rated them high in their oversight function.

This finding reveals that ranking members are more efficient than non-ranking members in their oversight function. Therefore, it is not out of place to say that high turnover rate of legislators is negatively affecting the constitutional responsibilities of the legislators.

6.5.3 Effects of Turnover Rates on Representative and Constituency Responsibilities in Osun State House of Assembly

One of the distinctive features of modern legislatures center on the fact that they are constituted by people chosen by the electorates to represent them. The elected Representatives, therefore, are required to interact with the electorates and as much as possible reflect the interests of their constituents in their general conduct and activities. The idea of representation and the development of legislative institution are necessitated by the complexity of human societies, which ruled out the possibility of direct democracy. It is in this context that representative assemblies evolved, whose members are elected within defined constituencies to represent their people in government. Representation involves listening to those one represents and making decisions and exercising influence on their behalf. Perhaps it is in this context that a renowned Political scientist, Nelson (1968) calls parliaments the "nerve endings" of the polity. Parliaments are the branch of government closest to people, and legislators, more than any other officials at the national or state level, need to be aware of the needs of constituents and are expected to respond to those needs. Hence, the legislature's representation responsibility involves constituent services, (i.e., helping citizens cut through government bureaucracies to receive their benefits, assisting with special problems), and accessing government funds for projects to benefit the constituency, such as bridges, clinics, water systems, schools, etc. Parliamentarians become well known and help ensure their re-election, through providing such services.

However, to carry out these responsibilities, legislators must relatively detach themselves politically and mentally from the legislature to reflect their constituencies' needs. This is because every legislator is fundamentally a representative of a constituency. It only in recourse to constituencies that legislator becomes relevant and derive their powers. A legislator does not even exist without a constituency. The legislators are expected to present the needs of their

constituencies to the legislature and lobby their colleagues towards incorporating such needs into national/state plans of actions. It is to ensure the performance of this function that all legislators are empowered to have functional constituency offices through which they can constantly consult with their constituents to feel their pulses and realizes their aspirations for onward presentation to the legislature for appropriate actions and interventions. Ecological and environmental problems, militancy, poverty, unemployment, sectional marginalization, gender discrimination, harmful traditional and cultural practices and other peculiar challenges that affected constituencies are expected to be exposed and advocated for by legislators representing affected constituencies. The degree of their satisfaction will either justify or falsify the existence of any legislature and they form the best practices against which legislatures' performance are measured (Edosa and Azelama, 1995).

It is against this backdrop that this section examines the effects of high turnover rate of members on representative and constituency responsibilities in Osun State House of Assembly. To achieve this research objective, the researcher raises some questions in his interview with the members and staff of the OSHA.

One of the interview questions is stated thus: Would you say that the experience of members has an effect on legislative representation and constituency services? These are the respondents' views:

Definitely, it has an effect on legislative representation and constituency services, because a ranking member will know how to lobby and how to propose a certain project for the benefit of constituency members. With experience, you will know where to blow hot and where to blow cold so as to win the interest of the government to do something for your constituent members (Amusan, 2017).

Absolutely, you cannot compare when a child is crawling to when is walking. It is two different things, you cannot compare the two. Ranking members will

represent their constituency better than non-ranking member because of their influence in the Assembly. For example, I am a third timer in the House and the majority leader; I have exploited my influence in several occasions to bring different projects to my constituent members (Hon. Owoeye, 2017).

The high turnover rate of the member has a negative effect on legislative representation and constituency services because apart from making laws, a reasonable legislator will always lobby for his own constituency. The new members need to learn how to lobby (Hon. Ibrahim, 2017).

Hon. Oyedele (2017) argued that:

It depends on the dynamics of the constituency that you are representing because some constituents members' request is not more than the money they don't even know the difference between legislative and executive, they think the legislature can execute the projects whereas that is not their functions. The issue of constituency projects that was initiated by the National Assembly is not here in Osun State because we believe that it will serve as conduit pipe through which public money will be siphoned. It may interest you to know that constituency project money was paid directly into the account of the Hon. Members in 2007 which was opposed by the opposition party members in the House, Action Congress of Nigeria (ACN) and that ends the issues of constituents project in Osun State.

Hon. Dipo (2017) affirmed that:

Lack of experience affects legislator's representative and constituency services because experience enhances legislator's capacity to lobby for constituency projects and also to defend such project for the benefit of constituent members (Hon. Dipo, 2017).

Table 42: Performance Rating of Ranking and Non-Ranking Members on Representation/Constituency Services in Osun State House of Assembly.

Ranking Member			
Performance Rating	Low	Moderate	High
41 Respondents	0 (0%)	9 (22%)	32 (78%)
Non-Ranking Member			
Performance Rating	Low	Moderate	High
41 Respondents	2 (5%)	23 (56%)	16 (39%)

Source: Researcher's Field Survey, 2017

Table 42 indicates that:

- i. no respondent rated ranking members low, 9 respondents (22 percent), rated them moderate, while 32 respondents (78 percent) rated them high in their representation/constituency services.
- ii. 2 respondents (5 percent) rated non-ranking members low, 23 respondents (56percent) rated them moderate, while 16 respondents (39 percent) rated them high in their representation/ constituency services.

This implies that ranking members are more efficient than non-ranking members in their representation function. Therefore, it is safe to say that high turnover rate of legislators is negatively affecting the representation and constituency responsibilities of legislators in Osun State Assembly.

The following conclusions can be drawn from the findings:

- i. That high turnover of members creates a less experienced legislature and a loss of expertise. Respondents that subscribed to this opinion argued that if experienced legislators are voted out of parliament, valuable experience is lost; institutional memory and familiarity with legislative procedures are also lost. They emphasized further that, the drain of knowledge and experience reduces the legislators' ability to produce effective policy. This is because high turnover rate of members affects constructive contributions and deliberations on bills. The outcome of these on bills are shortsighted policies. High membership turnover also reduces the accumulation of legislative skills and experience by politicians.

- ii. Contrary to the above-stated views, other respondents that were also familiar with the state legislature suggested that its effectiveness was not determined by experience, but the talent of individual legislators and their level of preparedness.

6.6 Causes of High Turnover Rates in Osun State House of Assembly

The section 6.4 that examines the turnover rate of legislators in Osun State House of Assembly between 1999 and 2015 shows that the 85.6 percent average turnover rate of members in Osun State Assembly is higher than the 70 percent average turnover rate of legislators in Nigeria National Assembly as earlier stated in chapter two. The question that begs for an answer here is what are the causes of these high turnover rates of legislators in Osun State? The answer to this question forms the central theme of this section.

The rates and causes of legislative turnover in the national and states' assemblies vary from one democracy to another and this study has established that different reasons and factors have been observed for the variation. The following reasons and factors are identified during the field survey in Osun State:

- i. Politics of zoning and power-sharing
- ii. Politics as a Business/Money Making Venture
- iii. Voters' preference
- iv. Electoral Defeat
- v. Electoral malpractices
- vi. Strong contenders
- vii. Legislators' performance,
- viii. Power brokers or godfatherism

- i. **Politics of Zoning and Power Sharing:** Politics of zoning and power sharing are observed as one of the reasons responsible for the high turnover rate of lawmakers in Osun State House of Assembly. The provisions on federal character and zoning in section 14 of the 1999 Constitution (as amended) has been adopted by political parties at state and national levels in power-sharing. Section 14 (4) stated that: the composition of the government of a State, a local council or such agencies shall be carried out in such manner as to recognise and the conduct of the affairs of the Government or Council the diversity of the people within its area of authority and the need to promote a sense of belonging and loyalty among all the peoples of the Federation (1999, CFRN). Although in practice, existing legislators can be re-nominated for re-election irrespective of zoning considerations depending on the interest of the party leadership, governors, godfathers and political clout of individual legislators, the researcher observed that the party leadership can also use the zoning principle as an excuse to reject an incumbent. In some cases, the local governments could fiercely insist on taking their turn and cause the party to de-nominate an incumbent. For instance, Hon. Ibrahim who is representing the Iwo local government in Osun State House of Assembly said that his constituency is grouped into five: Gidigbo, Oke-Adan, Oke-Oba, Molete and Isale Oba quarters. As far as state legislative representation is concerned and the local government chairmanship positions we rotate it among the five zones and that is why I am here today my predecessors were also here for just one term. Until another arrangement is made for a 2nd term nobody can serve more than a term

(Hon. Ibrahim, 2017). This finding is in line with the finding of Onuigbo and Eme (2015) on “Legislative Turnover in the National Assembly: A Study of the South – East Zone”.

- ii. **Politics as a Business/Money Making Venture:** People see politics as a way to make money rather than call for service (Owoeye, 2017). In line with this argument, Hon. Dipo (2017) also said that: “the lucrative nature of politics is one of the major causes of the high turnover rate of members not only in Osun State Assembly here but also in other States Assemblies and the National Assembly as well”. He gave an example of a dropped out school certificate holder that has nothing before he became a member of the House who is now riding the best car, living in the best Mansion, bought cars and Houses for girlfriends, other will love to be there too. It becomes the survival of the fittest because of the attractive compensation. Many studies have confirmed the dimension of compensation as one of the major reasons for legislative turnover (Calvert 1979; Francis and Baker 1986; Hyneman 1938; Rosenthal 1974; Smith and Miller 1977; Squire 1988). However, the effect of compensation on legislative turnover of states assemblies differs. For instance, in the German Federal state, the attractive salary and other monetary benefit increase retention rate of experienced legislators whereas, in Nigeria, the attractive salary and monetary advantages only attract inexperienced and unpatriotic legislators who are only interested in self-aggrandizement and enrichment. This has been one of the reasons why Nigerian parliament is having high legislative turnover rather than retaining her ranking members. The adverse

effect of this is the lack of experience members and institutional memory in Nigeria's States and National Assemblies.

- iii. **Voters' Preferences:** Our research finding also revealed that high legislative turnover in Osun State House of Assembly is attributed to voters' preferences. Voters' change their preferences from one general election to another. For example, Alliance for Democracy (AD) was the ruling party in Osun State in 1999 – 2003 and the Osun State Assembly was dominated by AD members. In 2003 general election, there was vote swung between the two major political parties, AD and People Democratic Party (PDP) in Osun State. AD suffered electoral defeat as a result of voters' preference for the opposition party, PDP which emerged as the ruling party in 2003 – 2007. This scenario led to the PDP dominated members in the Osun State House of Assembly, the ranking AD members were voted out of the Assembly in 2003 general election as a result of voters' preference for PDP and their dissatisfaction with the AD government under the leadership of Governor Bisi Akande (1999 - 2003). In 2003 – 2007, Osun State witnessed a new set of politicians in the executive and the legislature. This finding supported the research finding of Matland and Studlar (2004 p. 95) in their work "Determinants of Legislative Turnover: A Cross-National Analysis" that the vulnerability of incumbents and the likelihood to lose the seat to a challenger increases with the vote transfer and the swing of seats from one election to the next. Rosenthal (1974) also found that if the absolute number of seats held by the parties in parliament is stable, turnover is less likely, if seats are

at risk from one election to the next, there may be noticeable changes in legislative turnover.

- iv. **Electoral Defeat:** Electoral defeat is another reason attributed to the high rate of legislative turnover in Osun State. Hon. Ibrahim (2017) argued that: each candidate must compete, not only with those of other parties but also with those from his or her own party. Legislators may suffer electoral defeat either at party level during primary election or a general election while facing the opposition parties. This is in line with the findings of Gallagher (2000) in his research on a Legislative turnover in Ireland and Malta that intra-party defeats were especially important in Malta, which has extremely stable election results in terms of party voting and thus produces a relatively little inter-party turnover. Examining the fate of incumbents in elections from 1966 to 1998, Gallagher found that 72.1 percent of legislators were re-elected, 7.4 percent retired and 3.1 percent were subject to inter-party defeat, but fully 17.4 percent of representatives were victims of intra-party defeats. For Ireland, 1927–97, he found that 75.0 percent of members of the Da'il were re-elected, 8.5 percent retired, 10.7 percent were subject to inter-party defeat, and 5.9 percent were subject to intra-party defeat. In the same vein, Katz (1986) contended that any electoral systems that expose sitting legislators to the threat of intra-party defeat will lead to higher levels of turnover. He examined the effect of intraparty voting in several countries and found that intraparty defeat due to preferential voting varied from a high of 17 percent in Greece (with Finland also high at 14 percent), to more modest levels in Italy (7.8 percent) and Luxembourg (8.5 percent). In general, preferential voting

systems should increase turnover compared to systems where the party presents a ballot that voters may not disturb.

- v. **Electoral malpractices:** The pervasiveness of election malpractice in Nigeria has been identified as another factor causing the high turnover of legislators in Osun State. Governors, godfathers and well-resourced aspirants are culpable of perpetuating electoral fraud and manipulating the election processes through illegal possession and printing of ballot papers, stuffing of ballot boxes with ballot papers, manipulation of electoral laws, beating-up opponents, imprisonment and killing of real and alleged political opponents, denial of electoral rights to citizens, padding of falsehood by the mass media, character assassination, non-enforcement of electoral laws. The offenders have been government officials, law enforcement, electoral officers, security agents, politicians and supporters among others. This research finding supported the view of Onuigbo and Eme (2015) in their work on Legislative Turnover in the National Assembly, both scholars found that the prevalence of election irregularities at all levels of government in Nigeria has been the causes of high turnover of legislators in both National and States Assemblies in Nigeria.
- vi. **Strong Contender:** Hon. Nurein, who is representing Ede South Constituency in Osun State House of Assembly, identified strong contender in term of money and influence as another cause of high turnover rate of legislators. He contended that electoral victory is a game of influence and money rather than virtue, no matter how virtuous you may be to your constituent members in term of constituency responsibilities, if strong contenders in term of money or influence compete with

the incumbents legislators it increases the rate of electoral defeat of serving legislator and this also contribute to the high turnover rate of legislators in Osun State (Hon. Nurein, 2017). Increasing interest in seeking elective positions by political gladiators who pose serious threats to incumbents is producing a high turnover scenario. The quality of challenger thesis is not restricted to state legislature alone it also affects the national assembly. In Nigerian Senate, for instance, there is increasing number of former governors being elected into the Senate to oust the experienced incumbents' senators. Barkan (2010) cited in Hamalai (2014) reached the same conclusion on high turnover in South African National Assembly resulting from the high quality of new entrants.

vii. **Legislators' performance:** legislators' performance as observed by one of our respondents is also causing the high turnover rate of legislators. If a lawmaker does not perform well the constituent members will change such lawmaker because of his inability to deliver the dividends of democracy to the people he represented. The respondent went further that the only way to reduce the high turnover rate as a result of legislators' performance is to advice whoever that is there now to do one or two things that will endear him/her to the people represented to allow them to spend two or three terms in order to have a dependable experience. Brace and Ward (1998) supported this finding in their study when they argued that legislators' productivity lead to decrease in legislative turnover.

viii. **Power brokers or godfatherism:** This study observed that the activities of power brokers within the party particularly the sitting governor and the party

chieftains constituted the fundamental reason accounting to legislators losing their seats in the Assembly. The political godfather or party's power broker in the state determines who becomes what, when and how? For instance if a serving lawmaker wants to assert him/ her (self) as somebody who meant well for the state and his/her constituency at the expense of the sitting governor or the party chieftains such legislator will never return to the Assembly after the expiration of his/her tenure regardless of his/her performance in the House (Hon. Nurein, 2017). The report of NILS, 2014 affirmed that the activities of godfathers and lack of internal party democracy are also responsible for the high turnover of legislators in Nigeria.

6.7 Financial Implications of High Turnover Rates in Osun State House of Assembly

This section seeks to know the financial implications of organizing orientation, training and re-training programmes for lawmakers in Osun state assembly as a result of the high turnover rate of legislators in the state. The training and re-training of legislators are considered necessary to make up for the lack of legislative experience. To achieve this, therefore, a number of orientations and training programmes are organised to acquaint the legislators with the basic knowledge and skills of legislative work. However, despite the ritual nature of orientations and training of legislators at every legislative session in both state and national assembly, parliament remains one of the institutions where there's no hand-over note. Once a lawmaker is kicked out, whatever experience he or she may have garnered goes with him; time and money are wasted. It is against this backdrop that this section seeks to know the financial implications of training the

lawmakers via the interview designed by the researcher to gather the relevant views and materials with a view to arriving at dependable findings.

The study gathered that there was a budget for training and capacity building of the members whether ranking or non-ranking. The researcher also asked if there is a separate budget for training and capacity building of new members. Hon. Dipo Oluwole in his response said that training and orientation are meant for every member regardless of their ranking status. According to him, legislators must attend training and capacity building at least three times in a year. The study also seeks to know how much is the House spending on one legislator? Majority of the legislators could not answer this question except the chairman house committee on finance and appropriation, Hon. Oyedele Kamil who gave us the cost of local and overseas training of a legislator as two-hundred and fifty thousand naira (250,000) and one million and two-hundred thousand naira (1,200,000) respectively. On whether the new and experience legislators attend the same number of training, Hon. Ibrahim Abdullahi Gbadebo that is representing Iwo state constituency said that new members are given more preference to the experienced members.

The effort was made to get the budget of the Osun State House of Assembly so as to calculate the actual amount and the percentage of the House budget that is voted for training and capacity building of legislators at every legislative session and compare it with legislative output across the sessions under study. This effort was to no avail as the Director of Legislative Management, Mr. S.A Amusan and the Chairman House Committee on finance and appropriation, Hon. Oyedele Kamil refused to release the House Budget claiming that it was part of classified information.

CHAPTER SEVEN

COMPARATIVE ANALYSIS OF MEMBERSHIP TURNOVER AND LEGISLATIVE PERFORMANCE IN KOGI AND OSUN STATES

7.1 Introduction

In chapters five and six, we examined turnover rates and legislative performance in Kogi and Osun States Houses of Assembly under various themes. In this chapter, a juxtaposition of the various findings in the preceding two chapters (five and six) call for attention. From the empirical point of view, this chapter compares the membership turnover rates in the two states, Kogi and Osun and also examine whether the membership turnover rates affect the performance of the Kogi and Osun States Houses of Assembly differently. Besides, this chapter equally examines the differences and similarities of factors/causes responsible for membership turnover rate in Kogi and Osun States.

State legislatures in Nigeria perform the traditional functions of law-making, oversight, and representation within its areas of constitutional jurisdiction. Therefore, to understand the effects of turnover rates on these traditional functions of the legislature in Kogi and Osun States are part of the main concern of this chapter. To address this concern, the researcher relies on different theoretical perspectives on legislative performance. One of the famous studies that provided the theoretical explanation on the legislative performance was the one by Mezey (1979) whose analysis of legislative performance across legislatures in the world was considered as a landmark comparative study on legislatures (see chapter two for details). Some of the benchmarks for assessing the performance of legislatures which form the basis for comparing the

effects of membership turnover on legislative performance in Kogi and Osun State Houses of Assembly include:

- i. The number of laws made by Kogi and Osun State Assemblies;
- ii. Which of the actors (executive or legislators) initiate bills that eventually become laws in Kogi and Osun States Assemblies?;
- iii. The extent to which the legislature held government officials accountable for their actions and inactions (legislative oversight) in the two states, Kogi and Osun; and
- iv. The quality of representation the legislature offered to the electorates (legislator-constituency relations) in Kogi and Osun States.

7.2 Legislative Turnover and Retention Rates in Kogi and Osun States

This section compares the rate of legislators' replacement or membership turnover and retention rate in Kogi and Osun State Assemblies during the period under consideration (1999-2015). Table 43 below captures the membership turnover and retention rates in Kogi and Osun states.

Table 43: Comparison of Greenhorn Legislators and Re-elected Legislators across Legislative Sessions in Kogi and Osun State

Legislative Sessions	No. of Greenhorn Legislators in Kogi State	No. of Re-elected Legislators in Kogi State	No. of Greenhorn Legislators in Osun State	No. of Re-elected Legislators in Osun State
2nd Assembly, 1999-2003	25 (100% of 25)	Nil (0% of 25)	26 (100% of 26)	Nil (0% of 26)
3rd Assembly, 2003-2007	23 (92% of 25)	02 (8% of 25)	24 (92% of 26)	02 (8% of 26)
4th Assembly, 2007-2011	20 (80% of 25)	05 (20% of 25)	22 (85% of 26)	04 (15% of 26)
5th Assembly, 2011-2015	20 (80% of 25)	05 (20% of 25)	17 (65% of 26)	09 (35% of 26)
Average Turnover /Retention Rates	88%	12%	85.6%	14.4%

Source: Researcher's field survey, 2017

Comparatively, the average turnover rates of legislators in Kogi and Osun States Houses of Assembly between 1999 and 2015 are relatively the same, 88 percent and 85.6 percent respectively as indicated in table 43 above. Therefore, to say whether the elite turnover is high or low, a benchmark is required. This work adopted the optimum legislative turnover rate of 20 percent - 40 percent given by Crowther and Manytone (2007) as a benchmark. Considering the optimum legislative turnover rate given by Crowther and Manytone (2007) for normal legislative turnover rates, it is obvious that the average turnover rates of members in Kogi and Osun State legislatures are very high and abnormal for legislative effectiveness on their constitutional responsibilities as discussed in the preceding two chapters.

7.3 Effects of Membership Turnover on legislative performance in Kogi and Osun States

This section compares the effects of membership turnover on legislative performance in Kogi and Osun state Assemblies from 1999 to 2015. It suffices to state here that this section employs three main sub-headings for clear analysis. The first theme is the effects of membership turnover on law-making in Kogi and Osun State Assemblies. Following the sub-heading on effects of membership turnover on law-making in Kogi and Osun State Assemblies is the sub-section that captures the effects of membership turnover on oversight function in Kogi and Osun states. Thereafter, the focus is shifted to the analysis of the influence of membership turnover on representative and constituency responsibilities in Kogi and Osun States.

7.3.1 Effects of Membership Turnover on law-making in Kogi and Osun states

Law-making remains the principal function of the legislature under the 1999 CFRN. It is in the exercise of this function that legislative assemblies acquire its distinctive character and rightful place within the structure of government. The law-making power of legislature places it

as an independent organ of government that is of coordinate status with the Executive and the Judiciary. Perhaps, it is in light of this that Esebagon (2005) said that legislature exercises its main constitutional functions through legislation. The focus of this sub-heading therefore, is to compare the effects of membership turnover on legislative performance in Kogi and Osun States Assemblies in the area of law-making using these two indices of performance: i) the number of laws made by Kogi and Osun State Assemblies, and ii) which of the actors (executive or legislators) initiate bills that eventually become law in Kogi and Osun State Assemblies.

Table 44: A Comparison of Distribution of Ranking Members and Bills Passed by the Kogi and Osun States Assembly across four Legislative Sessions

Legislative Sessions in KOGI STATE	No. of Bills Passed	Executive Bills/ %	Private Bills/ %	No. of Ranking Members
2nd Assembly (1999-2003)	04	04 (100%)	Nil (0%)	Nil
3rd Assembly (2003-2007)	06	06 (100%)	Nil (0%)	02
4th Assembly (2007-2011)	15	15 (100%)	Nil (0%)	05
5th Assembly (2011-2015)	37	33 (89%)	04 (11%)	05
Total	62	58 (93%)	04 (7%)	12
Legislative Sessions in OSUN STATE	No. of Bills Passed	Executive Bills/ %	Private Bills/ %	No. of Ranking Member
2nd Assembly (1999-2003)	26	26 (100%)	Nil (0%)	Nil
3rd Assembly (2003-2007)	29	29 (100%)	Nil (0%)	02
4th Assembly (2007-2011)	21	21 (100%)	Nil (0%)	04
5th Assembly (2011-2015)	27	23 (85%)	04 (15%)	09
Total	103	99 (96%)	04 (4%)	15

Source: Researcher's field survey, 2017

Table 44 above shows that Kogi State passed a total of sixty-two bill into laws, out of which executive bills were fifty-eight (93 percent) and private member bills were four (7 percent). On the other hand, the Osun State House of Assembly passed a total of one-hundred and three bills into law during the same legislative periods, 1999 – 2015. Out of these, ninety-nine (96 percent) were executive bills and four (4 percent) were private member bills as represented in table 44.

Obviously, Osun State House of Assembly performs better than the Kogi State House of Assembly in terms of the number of bills passed into law from 1999 – 2015. Considering the same level of membership turnover in the two states, Kogi and Osun as stated earlier, one will not expect too much disparity in the total number of bills which both state legislatures will pass into law within the same period (1999-2015) as it was revealed in the findings (62 bills in Kogi state and 103 bills in Osun state). A possible explanation for this scenario could be attributed to education and socio-economic status of members in Kogi and Osun State legislatures. For instance, in terms of educational qualification of members, Osun State had more qualified law-makers than Kogi State. This is because a good number of legislators in Osun State assembly had a higher degree (ranging from Ph.D. to Master's Degree) before they became members (details in chapters five and six). Beyond this, if we compare the cognate experience of members both in private and public sectors in Osun State to Kogi State, the legislative members in Osun State tend to be more qualified than their counterparts in Kogi State.

Another explanation for better performance in Osun state legislature is in the area of autonomy. Osun State legislature has a commission, the Osun State House of Assembly Commission that is in charge of recruitment, transfer, and promotion of the administrative career officer of the Assembly and this made it possible for staff to develop their career in legislative

issues for the benefit of the legislative institution. By contrast, the staff of Kogi State House of Assembly is under the Kogi State Civil Service Commission and this made it difficult for the support staff to grow their career in legislative issues. Although Kogi State legislature had submitted the clean copy of a bill to establish Kogi State House of Assembly Commission, it has not been signed into law as at the time of this study. By this analysis, it implies that beyond the effect of membership turnover on legislative performance other factors like education, socio-economic status of members, and autonomy among others are also affecting the performance of legislature. Therefore, to arrive at a valid conclusion on the effect of high membership turnover on legislative performance, the above-stated factors must be considered.

Besides, if we compare the number and percentage of private member bills to executive bills in Kogi and Osun States Assemblies as represented in table 44, it is safe to conclude that the two legislatures lacked the capacity to initiate private member bills throughout the legislative sessions under consideration.

7.3.2 Effects of Membership Turnover on Oversight Functions in Kogi and Osun States

Control and supervision of the executive is another significant role of the state legislatures closely connected to the law-making function. The executive functions of the state legislatures flow from the checks and balances built into the presidential system of government. Legislative oversight is seen as the parliament's review, monitoring, and supervision of government agencies, programmes, activities, and policy implementation. Oversight occurs in a wide variety of contexts including appropriations, investigative and legislative hearings by standing committees, specialized investigations by select committees, as well as reviews and studies by parliamentary support agencies and staff (Halchin and Kaiser, 2012). Legislative

oversight empowers the legislature to ensure that existing programmes are implemented and administered efficiently and effectively, and in a way that is consistent with legislative intent. The state legislative power to control the executive and certain official acts were expressly provided for, under the 1999 CFRN. These powers include powers and control of public fund (section 120-127), the power to conduct an investigation (section 128) and power as to matters of evidence (section 129).

Thus, legislative oversight exposes bureaucratic behaviour to public scrutiny. And the legislature must check the activities of the executive branch to the best of its abilities and provide the public with the necessary information to know what is going on, for very often in most states the members of the public really do not know what the government is doing. It is in view of the above and also to have a balanced view on how membership turnover influences the oversight functions of the two State Assemblies, Kogi and Osun that this sub-theme compares how legislative turnover affects the oversight functions in Kogi and Osun State Assemblies.

Table 45: Distribution of Respondents on Performance Rating of Ranking and Non-Ranking Member in two States Houses of Assembly on Oversight Functions

Performance Rating (Ranking Members)	Low	Moderate	High
36 Respondents (Kogi State)	0 (0%)	7 (19%)	29 (81%)
41 Respondents (Osun State)	0 (0%)	7 (17%)	34 (83%)
Performance Rating (Non- Ranking Member)	Low	Moderate	High
36 Respondents (Kogi State)	0 (0%)	22 (61%)	14 (39%)
41 Respondents (Osun State)	0 (0%)	25 (61%)	16 (39%)

Source: Researcher's Field Survey, 2017

Table 45 indicates that:

- i. Out of 36 respondents in Kogi State, no respondent rated ranking member low, 7 respondents (19 percent) rated ranking member moderate, while 29 respondents (81 percent) rated ranking member high on their oversight functions.
- ii. In Osun State, out of 41 respondents, no respondent rated ranking member low, 7 respondents (17 percent) rated ranking member moderate, while 34 respondents (83 percent) rated ranking member high on their oversight functions.
- iii. Similarly, out of 36 respondents in Kogi State, no respondent rated non-ranking member low, 22 respondents (61 percent) rated non-ranking member moderate, while 14 respondents (39 percent) rated them high on their oversight functions.
- iv. Osun State has 41 respondents and no respondents rated non-ranking member low, 25 respondents (61 percent) rated non-ranking member moderate, while the remaining 16 respondents (39 percent) rated them high on their oversight functions.

The respondents in the two states, Kogi and Osun subscribed to the high performance of ranking members on oversight functions, 81 percent and 83 percent respondents respectively rated them high, while 61 percent respondents in both States rated non-ranking members moderate on their oversight function. The implication of this finding is that high legislative turnover rates in both states are affecting their legislative performance negatively and the degree of this effect on oversight function of the two states are almost the same.

7.3.3 Effects of Membership Turnover on Representative and Constituency Responsibilities in Kogi and Osun States

Political scientists have identified representation and constituency services as one of the key legislative functions (Eulau and Karps 1977). Oni (2013) also emphasizes this when he posited that legislature occupies a fundamental place in democratic governance and performing crucial role of citizens' representation for the advancement and well-being of the citizenry. Thus, elected representatives are required to interact with their constituency members and as much as possible reflect the interests of their constituency in their general conduct and activities. Law-makers devote their time and resources on policies on certain issues, provision of some services, and allocation of public resources. Beyond this, they also dedicate part of their time and resources to lobby for constituency projects that will benefit their constituency members. In addition to the official constituency projects, some legislators privately engage in the provision of constituency projects, welfare packages, social responsibility among others in form of empowerments schemes, health services, digging of boreholes, education supports, visa procurements, and construction of drainages among others. Eulau and Karps (1977) argued that duties like these represent the central component of their job, more important than bill or policy-related responsibilities. Other scholars have also argued that legislators purposefully engage in these important activities to boost their chances of re-election (Cain, Ferejohn, and Fiorina 1987).

It is in the view of the above that this sub-section compares the effect of membership turnover rates in Kogi and Osun States Assemblies on representative and constituency responsibilities.

Table 46: Distribution of Respondents on Performance Rating of Ranking and Non-Ranking Member in two States Houses of Assembly on Representation and Constituency Responsibilities

Performance Rating (Ranking)	Low	Moderate	High
366 Respondents (Kogi State)	0 (0%)	9 (25%)	27 (75%)
41 Respondents (Osun State)	0 (0%)	9 (22%)	32 (78%)
Performance Rating (Non- Rankings)	Low	Moderate	High
36 Respondents (Kogi State)	0 (0%)	22 (61%)	14 (39%)
41 Respondents (Osun State)	2 (5%)	23 (56%)	16 (39%)

Source: Researcher's Field Survey, 2017

Table 45 indicates that:

- i. Out of the 36 respondents in Kogi State, no respondent rated ranking member low, 9 respondents (25 percent) rated ranking member moderate, while 27 respondents (75 percent) rated them high on their representation and constituency responsibilities.
- ii. In Osun State, out of the 41 respondents, no respondent rated ranking member low, 9 respondents (22 percent) rated them moderate, and 32 respondents (78 percent) rated them high on their representation and constituency responsibilities.
- iii. In the same vein, out of 36 respondents of Kogi State, no respondent rated non-ranking member low, 22 respondents (61 percent) rated them moderate, while 14 respondents (39 percent) rated them high on their representation and constituency responsibilities.

- iv. Out of the 41 respondents in Osun State, 2 respondents (5 percent) rated non-ranking member low, 23 respondents (56%) rated them moderate, while 16 respondents (39 percent) rated them high on their representation and constituency responsibilities.

The respondents in the two states, Kogi and Osun submitted that ranking members display high performance on representation and constituency responsibilities, 75 percent and 78 percent respondents respectively rated them high, while 61 percent and 56 percent respondents in Kogi and Osun States respectively rated non-ranking members moderate on their representation and constituency responsibilities. These findings imply that high legislative turnover rates in both states are affecting their representation and constituency responsibilities negatively and the degree of this effect on representation and constituency responsibilities of the two states are not different.

7.4 Causes of Membership Turnover in Kogi and Osun States

The average turnover rates of members in Kogi and Osun State are 88 percent and 85.6 percent respectively as indicated in table 43. These turnover rates are higher than the optimum legislative turnover rate of 20 percent - 40 percent that is considered normal for legislatures to perform optimally on their constitutional responsibilities. The researcher's investigation into the causes of high turnover rates of members in Kogi and Osun States as identified and analyzed in the preceding two chapters are as follow:

- i) Politics of zoning and power-sharing
- ii) Politics as a Business/Money Making Venture
- iii) Voters' preference
- iv) Electoral Defeat

- v) Election malpractices
- vi) Strong contenders
- vii) Legislators' performance,
- viii) Power brokers or godfatherism
- ix) Desire for change
- x) Party politics

7.5 Legislative Challenges in Kogi and Osun States

The investigative study that was carried out in Kogi and Osun States Houses of Assembly on membership turnover and legislative performance revealed that the two Houses of Assembly are facing some challenges that are hindering their legislative duties of law-making, oversight functions, and representation. Some of the constraints faced by the legislatures of the two states include high turnover rate of members, lack of legislative capacity and experience, weak or absence of opposition party, internal conflicts, lack of financial autonomy, inadequate legislative infrastructure, executive interference in the leadership of the House, the challenge of public expectation, lack of complementary mind between legislators and bureaucrats, lack of training and re-training for legislators. These are discussed in detail below:

- i) **The high turnover rate of members:** The most challenging problem of the legislature in Kogi and Osun States is the high turnover rate of members. More than two third of members are new after every election cycle, for instance, the average turnover rates of members in Kogi and Osun State Assemblies are 88 percent and 85.6 percent respectively. In the second assembly of the two states, no single member

had legislative experience. Most of the new members, if not all, don't know the procedures to follow to initiate a bill, to write motions and matters of public importance. They need to undergo a lot of training on the rules of House and how to draft an acceptable bill.

Besides, it was also found that high turnover of legislators is affecting constituency projects negatively because new legislators are unlikely to pursue the completion of constituency projects initiated by their predecessors as the new members of the House will demand for the inclusion of their own preferred projects rather than the completion of the ones initiated by their predecessors. The implication of this is the wasting of taxpayer money.

- ii) **Lack of legislative capacity and experience:** As a result of high legislative turnover, the Kogi and Osun State Houses of Assembly lacks experience legislators that are better inform and equipped with necessary legislative skills and knowledge to function effectively and efficiently as an autonomous organ of government in the performance of their primary duties of law-making, oversight functions, and representation. For instance, Hon. Nurein that is representing Ede South Constituency in Osun State House of Assembly argued that new members did not know minor procedures to follow for moving of motions and presentation of bills. More often than none the ranking members had to intervene to correct mistakes bordering on non-compliance with the standard legislative practices and procedures. The implication of this is that the work of House is slowing down (Hon. Nurein, 2017).

- iii) **Weak or absence of opposition party:** The legislatures in Kogi and Osun States lack formidable opposition parties that could offer constructive criticism to check the excess of the majority party in the House and also to put the executive on their toes throughout the legislative session under consideration. For instance, in 2003-2007 Kogi and Osun State Houses of Assembly had no opposition party. In 2011-2015 the same scenario repeated itself in Osun State Assembly. By contrast, Kogi State Had four members (16 percent) from the opposition party, ANPP in the corresponding year.
- iv) **Internal conflicts:** Internal crisis and faction within the assembly are also seen as another factor that is affecting the legislative productivity. For instance, while the 3rd Assembly in Osun passed twenty-nine bills into laws, the 4th Assembly passed twenty-one bills. This was attributed to the crisis between the PDP and AC members in the House over the payment of state constituencies allowance money into the personal account of House members contrary to the position of the opposition party, AC in the House as stated earlier. More so, the executive governor of the state was also facing the election petition levied against him by the opposition party (AC) over the irregularities of the 2007 gubernatorial election that brought him into power. Therefore, the political crisis that engulfed the executive and the legislature during this period, 2007-2011 distracted the two arms of government from their official business.
- v) **Lack of financial autonomy:** The two Houses of Assembly identified lack of financial autonomy as one of the major problems hampering their constitutional responsibilities particularly on their oversight functions and public hearing. To carry

out these legislative duties the two State Assemblies channel their financial request through the office of the Executive Governor. It was discovered that no States Assembly in Nigeria enjoy financial autonomy except Lagos State Assembly that is semi-autonomous, part of their budget are given to them quarterly (Amusan, 2017). The implication of this is that the state legislatures remain ineffective in their constitutional roles.

- vi) **Inadequate legislative infrastructure:** The legislators in the two States Houses of Assembly complained about the office accommodations, irregularity in their alternative power generating set, poor internet facilities, poor library. For instance, there are no office accommodations for Kogi State House members except for the three of their principal officers, Speaker of the House, Deputy Speaker, and the Majority Leader. The library infrastructure in Kogi and Osun State Assemblies remain poor in terms of available facilities and stock. The absence of internet connection, computers, relevant books and journals, and other research materials made it useless and irrelevant.
- vii) **Executive interference in the leadership of the House:** The state' governors are political leaders of their states and they have influence on the political activities that take place there. In fact, it was found that most of the House members in Kogi and Osun States won their seats as a result of support received from the governors in their respective states. By this, it means no speaker or other principal officers could emerge in the House without the support of the executive governor. Thus, the reason why every governor or executive finds forcing leadership on the legislature attractive is that it allows the governor to intimidate and make it a rubber stamp legislature.

- viii) **The challenge of public expectation:** There is also the challenge of public expectation of being funded on almost everything by their legislators who are perceived to have unfettered access to public funds. For instance, Hon. Owoeye, who is representing Ilesa East constituency in Osun State House of Assembly from 2007 till date revealed that, there was too much pressure from the constituent members seeking for one help or the other in anticipation that you are in the government and you are making money. A times you may be in the office to review a bill that you want to consider for a legislative business in the next sitting of the House people will be trooping in and out seeking for unnecessary assistance (Hon. Owoeye Timothy, 2017).
- ix) **Lack of training and capacity building for legislators:** Training and capacity building of legislators are seriously needed in the two states under consideration to make up for the high turnover rates of the members as stated earlier. Surprisingly, all the newly elected members that were interviewed in Kogi and Osun States said they had not attended any training since they had been elected to the Assembly. Only the few ranking members among them had attended training before.
- x) **Lack of institutional autonomy:** In addition to the above-stated problems, it was found in this study that State Assembly Service Commission has not been established in Kogi State. The legislature in Kogi State depends on Kogi State Civil Service Commission for the deployment of administrative personnel that will serve in the assembly. Since the executive controls the bureaucracy and could transfer any of its

staff to another ministry at any time, the staff are not able to acquire the skill that career in assembly would have facilitated.

The findings stated above indicate that Kogi and Osun State Houses of Assembly are facing some challenges that are contributing significantly to the limited effectiveness of the two Assemblies.

CHAPTER EIGHT

SUMMARY, CONCLUSION, AND RECOMMENDATIONS

8.1 Introduction

This study was focused on state legislatures, the often neglected aspect of legislative studies by the Nigerian political scientists. Until the recent researches of Oni (2013); Fashagba (2009); and Lafenwa (2006), the legislatures in the Nigerian States have been denied a comprehensive scholarly attention by the researchers.

Thus, to further strengthen contribution in this area of scholarship, this study had examined the membership turnover and legislative performance in Kogi and Osun State Houses of Assembly, Nigeria. Therefore, to establish a basis for effective prosecution of this research, various literature on legislative studies of the Western countries and Developing countries were reviewed. The review largely enabled this work to adopt the appropriate framework of analysis, based on the yardstick often employed by legislative scholars both of developing and the developed nations. By this, the study was able to assess the effect of membership turnover on legislative performance in Kogi and Osun State Houses of Assembly.

This chapter, therefore, summarizes the major discussions and draws conclusions, based on the findings. Some recommendations on the probable way to reduce the causes and effects of membership turnover on legislative performance in Nigerian State Houses of Assembly are suggested.

8.2 Summary of the Study

This section distills the major findings in the study. Basically, this is carried out in form of recapitulation of key issues discussed in the preceding chapters.

The first chapter introduced the study with emphasis on the importance of legislative institution to democratic governance. It was revealed in chapter one that as a result of the indispensability of the legislature in a democracy, it has been under critical examination by scholars of all persuasion. Recent and more prominent critiques of legislative institutions have concentrated on two main issues: legislative declining constitutional and democratic roles and low productivity in terms of the number and quality of public law enacted. In fact, most legislative studies, which focus on the national or central legislative bodies, had found that their role was declining. Some empirical studies demonstrated that in many new democracies, legislatures cede their lawmaking function to chief executives by routinely approving all executive initiatives or, equivalently, acceding to lawmaking by executive decree. Shively (1997) and Lafenwa (2006) said that many parliaments are a rubber stamp in the passage of legislation. Besides, public opinion in most countries generally takes a dim view of legislative work. For instance, Edward and Beataam (1993) argued that “judging from public opinion and press, the American people do not hold Congress in high regard; opinion polls had consistently ranked the Congress near the bottom of those institutions inspiring public trust”. Irrespective of these assessments of the legislature, the organ has continued to perform their constitutional roles everywhere (Bello-Imam, 2004).

While it was settled in the extant literature that legislature has important duties to perform in a democracy. It was, however, pointed out that performing of these duties by the legislative

institution is not a given (i.e. the mere existence of a legislature does not automatically guarantee the effective performance of its functions). The legislator must possess the requisite experience to effectively discharge their constitutional duties. Perhaps, this informs the drafters of Nigerian Constitution a decision not to limit the number of times a performing legislator could be re-elected. Despite this, the electorates have the constitutional right to elect or re-elect a legislator. This singular right enjoyed by the electorates had led to the high turnover rate of legislators in Nigeria as revealed in the introductory chapter.

In view of this, certain questions were raised to assess the effect of membership turnover on legislative performance in Kogi and Osun State Houses of Assembly. These questions include: What is the rate of membership turnover in Kogi and Osun State legislative assemblies? ;What are the causes of high membership turnover in Kogi and Osun state legislative assemblies?; Does high turnover rates of members have any effect on law-making, oversight and representation/constituency services in Kogi and Osun State legislative assemblies?; and Are there any differences in the effects of membership turnover on legislative performance between Kogi and Osun State legislative assemblies? The objectives to achieve in answering these questions are to measure the membership turnover rates in Kogi and Osun State legislatures and to know the causes of the legislative turnover in the two states, Kogi and Osun as well as ascertaining the effect of membership turnover on the performance of the legislatures in Kogi and Osun States.

To achieve these objectives, primary and secondary modes of collecting data were employed. The primary data was gathered through Key Informant Interviews and questionnaire conducted with former and present legislators and the legislative staff in Kogi and Osun States. The secondary data were basically generated from official documents in Kogi and Osun State

Houses of Assembly and official documents from the National Assembly of Nigeria and the National Institute of Legislative Studies, Abuja.

A review of the literature was comprehensively carried out in chapter two. The study reviewed the literature on Legislature, Democratic Governance, legislative roles in a Democratic Governance, Legislative performance, legislative models, and membership turnover in a thematic way. It was discovered in the literature review that there were different theoretical perspectives to legislative performance. Some of these perspectives were basically concerned with individual members of the legislature while other perspectives focused on the legislative institution itself. One of the famous studies that provided the theoretical explanation of the legislative performance was the one by Mezey (1974). In his analysis, legislatures are classified into minimal, marginal, active, reactive and vulnerable. Some of the benchmarks for assessing the performance of legislatures which form the basis for above classification includes: i) which of the actors (executive or legislators) initiate bills that eventually becomes law; ii) the policy-making power of legislature and; iii) the level of support for legislatures by the political elite and public. Legislative oversight provides another theoretical viewpoint to understanding legislative performance. The legislator-constituency relation is another dimension of understanding legislative performance.

Moreover, the issue of what should be the nature of the relationship between representatives and the people who chose them has being a controversy among scholars. The debate is whether elected representatives should represent constituency interest or the interest of the nation at large. Besides, there is an argument on whether a representative body should use his personal initiative and judgment to determine what position to take on any issue that comes before the legislature or seek for and follow the instructions of his constituency or that of his

political party's leaders. This brings to the fore the age-long debate initiated by the well-known political theorist and lawmaker Edmund Burke, over whether a representative should act as a trustee or delegate. Some scholars view that representatives should serve as delegates of those who elected them into the assembly by always reflecting the views and preferences of the local constituency in the decision they support in the assembly. While another group of scholars' belief that the representatives are not mere delegates who should dogmatically serve constituency's interest. Rather, they advocate national interest. This group of writers subscribed to the position of Edmund Burke who places national interest above parochial or local interest. Another approach was identified by Safell (1989) as politico representatives that place party interest above all other considerations. To overcome seeming decision conflict, some scholars support the utility of either one or combination of two or more approaches depending on the issue at stake.

Comparative assessment of modern legislative institutions in terms of policy-making power show that parliamentary power is moving along a continuum from little independence and power to very influential and active legislatures. This informed the classification of world legislatures into Rubber Stamp legislatures, Arena legislatures, and Transformative legislatures. For instance, Nigerian Council of 1914-1922 was categorized as rubber-stamp legislature that had no legislative authority. The Duma of former the Soviet Union was also classified as rubber stamp legislature too. Arena legislature is the next on the arrow of parliamentary power. It is more powerful than rubber stamp legislatures, this is because, real discussion, debates, and speech are taken place there. The Nigeria Second Chamber (House of Chiefs) between 1954 and 1966 could be considered as arena legislature. For example, the House of chiefs in the Northern region had no power to originate, amend, delay or reject money bill.

A useful analogy for an arena legislature is a thermometer. As thermometers take accurate readings of the temperature around them but do not change the temperature, so arena legislatures accurately reflect the "political temperature" with regard to the issues before them. Moving right again we come to the least common type of legislatures, transformative legislatures. Transformative legislatures can be likened to a thermostat. As thermostats change the room temperature by activating heat or air conditioning, transformative legislatures change policies and budgets proposed by the government, and even initiate policies of their own. The US Congress is probably the best example of a transformative legislature.

Finally, the fourth legislative type, which is not part of the continuum discussed above, is called an emerging legislature. Emerging legislatures are in the process of changing from one type to another. The trend of emerging legislature in Nigeria started since the 1979 National and State Assemblies and has lasted till date. Mexico's Congress, Kenya's and Uganda's Parliaments could be classified as emerging legislatures too.

Moreover, the extant works on legislative studies show division among scholars on the extent to which legislatures in modern states perform their functions. While some scholars argued that the legislatures have been incapable of performing their numerous functions under the modern states, some have argued that the legislature in modern states have adjusted to the reality of their modern working environment. For instance, Akindele, *et. ' al.* (2012) argued that the Nigeria's legislature since 1999 has been more of a gloom than hope, particularly in its lawmaking and oversight functions, while Oni (2013) submitted that Nigeria's national parliament had transformed from being an advisory body to a full law-making institution and had recorded improvement in terms of legislation and oversight roles, but offers a slim ray of hope in championing constituency interest. Therefore, despite the controversies surrounding the level of

legislative input in modern states, certain roles are still known to be performed by the assemblies. These include law-making, scrutiny of administration, representation, legitimizing, deliberative, approving or rejecting treaties, confirmation of nominees for appointment activities and management of conflict. This study has classified the legislative roles into three which include representation, lawmaking, and oversight functions.

It was also revealed in chapter two that Nigeria has the highest turnover rate of lawmakers in the national parliament with a turnover rate of 70 percent compared to USA's 10 percent South Africa's 47 percent percent Ghana's 56 percent, Kenya's 64 percent, Uganda's 50.5 percent and 51 percent for the Benin Republic. This study found that democracy will suffer if it projects too much or too low turnover rates. For instance, Matland and Studlar (2004) argued that low membership turnover blocks the elite circulation and the opportunity structures for aspiring political leaders and insurgent groups.

In the same vein, Belly (2012) submitted that low membership turnover may lead to politics of exclusion and this could trigger propaganda on the part of excluded politicians to remove legislators who had spent two or three terms in office to give way to new ones. It was also claimed that the quality of interest representation and accountability of legislators will decline due to a complete sense of security of continued tenure. It was argued further that the culture of settlement and growing influence of lobbyists as well as long-term familiarity with the system, among others, can facilitate non-competitive approaches to resource allocation.

However, this study could not confirm these arguments because the two states Assembly under consideration has not experienced this scenario likewise the Nigerian national assembly. Though, high retention rates/low turnover rate had led to the growth of a strong movement for setting term limits for legislators, especially in the USA.

High turnover rates, on the other hand, reduces the performance of the lawmakers, for example, less-experienced lawmakers are more likely to find themselves reinventing the wheel, wasting time and effort that could have been avoided if they have a better institutional memory as discussed in the preceding chapter five and six. Thus, where lawmakers are short of expertise, an unelected official such as aides, bureaucrats, and lobbyists can grow in influence. This invariably harms the functioning of the parliament among others, by breeding short-termism and instability (IPU, 2012). Policy innovation suffers too (Brunk & Mineheart 1984). Increased turnover among legislators can make them short-sighted, affecting fiscal policy and economic growth (Uppal and Glazer 2015). For instance, a higher level of turnover may result to an increase in government expenditure because a legislator, who is less likely to get re-elected, would want to constrain the policies of his or her successor and cash in on short projects. Thus, the higher the level of turnover, the greater the rise in general expenditure and especially on short-term implementable programmes. Consequently, public expenditure is altered to focus on constituency projects. Re-election concerns arising due to a higher level of turnover shorten current incumbent's horizon. He/she seeks to signal his or her competency by spending on programmes that show result immediately when he is still in the office rather than undertaking any public investment that will linger to show results and will likely benefit the future incumbent. Higher turnover may also lead to waste in the expenditure process. New legislators are unlikely to pursue completion of constituency projects initiated by their predecessors. High turnover of legislators is having a negative effect on the implementation of constituency projects, as new members of Kogi and Osun State Assemblies demand for the inclusion of their preferred projects in the budget rather than the completion of the ones selected by their predecessors.

Thus, while high retention rate is seen as dampening the principles of competitiveness which democracy is dependent upon in the USA, extremely low retention rate in Nigerian state legislatures in general and the two-state Assemblies under discussion, in particular, is seen as anti-thesis to the development of presidential democracy. By this, it implies that the legislature requires some level of continuity in membership to retain institutional memory, grow confidence and some level of professionalism to be able to effectively curtail executive dominance, oversight the executive and make people oriented law. It may be suggested that medium rate (50 percent -70 percent) may allow continuity required for effective performance and competitiveness that would allow some level of elite circulation and transformative changes in policy.

Besides, this study had identified and explained determinants of legislative turnover across democratic societies of the world to include: electoral system, electoral defeat, duration of legislative term, electorate party preferences, political party, political career opportunities, godfatherism, electoral malpractices, and death among others.

Theoretically, some major assumptions and propositions of elite theory, system theory, and structural-functionalism were reviewed and used to carry out empirical analysis of membership turnover and legislative performance in Kogi and Osun State legislatures. Specifically, elite theory was used to explain the circulation of political elites in Kogi and Osun State legislatures. The systems theory, on the other hand, was employed to analyze legislative institution as a part of entire political system that is playing its roles in conjunctions with other parts or sub-systems such as executive, judiciary, bureaucracy, political parties among others that are also playing different roles to keep the system working. In addition, Kogi and Osun States legislatures were assessed using the requisite functions proposed by structural functionalists.

Structural functionalism is a method of analysis which examines a system in terms of its structures and the functions performed by those structures. The structures are many and they can take any form. For instance, the legislature as a structure within the political system performs many functions including lawmaking, representation, oversights and constituency activities.

The chapter three of this study examines the development of legislative institutions in Nigeria from pre-1960 constitutions to the legislative institutions since Nigeria's independence. This chapter also covers the structure and composition of Nigeria legislature, the legislative power under the 1999 constitution of the federal republic of Nigeria, and the legislative process and procedures.

It was shown in this chapter that different constitutional changes in Nigeria from pre-independence till date remain major determinants of the type, procedure, composition, and powers of each legislative House in Nigeria. At independence, Nigeria adopted the Westminster Parliamentary system of government modeled after the British parliamentary democracy. One striking feature of the parliamentary system adopted by Nigeria is that apart from making the legislature an extension of the executive, it fell short of full application of the principle of separation of powers. Following the restoration of civilian rule on 1st October, 1979 after thirteen years of military government, Nigeria opted for a new constitutional structure modeled after the United States' presidential and gubernatorial government with its central principle of a single chief executive and a clear separation of powers among the three arms of government. It was revealed that a new Constitution was promulgated in 1989 for the 3rd Republic through Decree Number 12 of 1989. It was noted that the constitution did not fundamentally depart from the 1979 constitution except for certain provisions such as the establishment of two-party system,

creation of traditional councils and conferring on state government, the power to create local government areas among others.

It was also pointed out that 1999 Constitution of the Federal Republic of Nigeria established the legal framework for the democratic government of the Fourth Republic. It was stated that the 1999 constitution largely borrowed from the 1979 and 1989 Presidential constitution with some amendments and came into force with effect from 29 May 1999, when the military government hand over power to a democratically elected civilian regime. The 1999 Constitution unequivocally states that the functions or powers of lawmaking are vested in the National Assembly and State Houses of Assembly. In order to avoid conflict of jurisdictional power, Section 3, 4 and 6 (a and b) of the constitution clearly demarcate between the areas which can be legislated upon by the National Assembly and the State Houses of Assembly. These are contained in the exclusive and concurrent legislative lists. Structurally, the legislative institution in Nigeria adopted bicameral model at the federal level and unicameral at the state level.

Chapter four of this study presents the methodology adopted for the study. This chapter was broadly divided into four sections. The first section explains the research design, the sources of data, sample and sampling technique, instrument for data collection. The second section discusses the data collection procedures and ethical considerations. The procedures for data gathering and method of data analysis are presented in the third section. The final section discusses the strength and limitations of the methodology and this chapter is concluded by a discussion on the reliability and validity of the method.

The next three chapters constitute the empirical chapters of the study. To clearly present and analyze various concern of the study, the two states studied were separately examined in

different chapters. Chapter five captured Kogi state and chapter six focused on Osun state. In these two chapters, background information about Kogi and Osun states was discussed. The legislative turnover rates in the two states were presented. An examination of effects of turnover rates on law-making, oversight functions, and representation/constituency roles were carried out. Each of the two chapters was concluded with a section on the causes of turnover rates of members in Kogi and Osun state legislatures. With the presentation of chapters five and six, the foundation for comparison was rightly laid. The task of comparison was carried out in chapter seven using the information in chapter five and six.

The chapter five and six of this study revealed the high level of exit of legislators in Kogi and Osun States from one general election to another. For examples, the two states had the same turnover rates of legislators, 92 percent in their 3rd Assembly (2003-2007). Similarly, Kogi State Assembly had 80 percent membership turnover in the 4th Assembly (2007-2011) while Osun State Assembly had 85 percent in the corresponding period. Lastly, the 5th Assemblies of the two states, Kogi and Osun recorded 80 percent and 65 percent membership turnover respectively. Thus, the average turnover rates of members in Kogi and Osun states are 88 percent and 85.6 percent respectively. Considering the optimum legislative turnover rate given by Crowther and Manytone (2007) for normal legislative turnover rates, it is obvious that the average turnover rates of members in Kogi and Osun State legislatures was very high and abnormal for legislative effectiveness on their constitutional responsibilities as presented in chapters five and six.

Furthermore, the chapter five and six also assessed the effects of high turnover rates of members in the two states under discussion on their primary responsibilities of law-making, oversight functions, and representation/constituency services. The number of law made by Kogi

and Osun State legislatures and their initiators were used as performance indicator. This was complemented with Key Informant Interview interview and administration of questionnaire on former and present legislators and legislative staff in the two states. It was found that only four executive bills were passed into laws by Kogi State 2nd Assembly which was mostly attributed to 100 percent turnover of legislators during this legislative session couple with other factors such as, the lack of office for members, absence of financial autonomy, and lack of experience legislative personnel to assist the legislators in performing their functions. For instance, the newly built Kogi State House of Assembly had no office accommodation for members, only three principal officials (Speaker, Deputy Speaker, and Majority leaders) have offices of their own, while other members were given cubicle as an office. In the corresponding period, Osun State Assembly passed twenty executive bills into law with 100 percent turnover of members too, a performance that is better than Kogi State Assembly. Though high turnover rate of members affected the performance of Osun State 2nd Assembly too, it was not as bad as that of Kogi State during the same period.

Moreover, in the 3rd and 4th Assemblies of Kogi state, the number of bills that were passed into law were six and fifteen bills respectively and the rate of legislative turnover recorded during these two periods was 92 percent and 80 percent. By this, it means that as the rate of turnover of members reduced from 100 percent in the 2nd Assembly of Kogi State to 92 percent in the 3rd Assembly and to 80 percent in the 4th Assembly. The number of bills passed into laws increased as indicated above. This implies that there is inverse relationship between turnover rates of legislators and the number of bills passed in Kogi state legislatures during these two legislative sessions (the lower the rate of turnover rates the higher the number of bills passed). In the Osun state legislature during the corresponding periods, it was found that twenty-

nine bills and twenty-one bills were passed into law and the membership turnover rates of these two Assemblies (3rd and 4th) were 92 percent and 85 percent. The law-making performance of 3rd and 4th legislature in Osun state was better than the law-making performance of the 2nd Assembly that had 100 percent turnover of members.

However, contrary to the previous finding the 3rd Assembly of Osun state that had 92 percent membership turnover recorded a greater number of bills (twenty-nine bills) than 4th Assembly that had 85 percent turnover of members and recorded lesser number of bills (twenty-one). By this, it implies that apart from high turnover rates of members other factors could also have significant effects on law-making functions of legislature. These factors as it was found in Osun state during this legislative session include: faction within the assembly, 4th Assembly was divided into two (14 PDP members versus 12 AC members), the executive governor of the state also faced the election petition levied against him by the opposition party (AC) over the irregularities of the 2007 gubernatorial election that brought him into power, there was crisis between the PDP and AC members in the House over the payment of state constituencies allowance money into the personal account of House members contrary to the position of the opposition party, AC in the House (Interview, Hon. Kamil, March 2017). These factors were attributed to the lesser number of bills (twenty-one bills) recorded in the 4th House of Assembly compared to the 3rd Assembly that had higher number of bills (twenty-nine bills) in Osun State.

Similarly, it was found that Kogi state legislature passed thirty-seven bills in the 5th Assembly, out of this thirty-three, four bills (11 percent) were private members bills and thirty-three (89 percent) were executive members' bills. This performance was an unprecedented compared to the performance of the four previous legislative sessions in the Kogi State House of Assembly. This impressive performance could not be attributed to the five ranking members of

the fifth Assembly alone because the fourth Assembly also had the same number of ranking members and only fifteen bills were passed into laws which were less than half of the bills passed into laws in the fifth Assembly as shown in tables 20 and 21 in chapter six. The possible explanation for the high performance of Kogi state 5th legislature (2011-2015) was the quality of members; this assembly paraded high quality of House members in terms of education and cognate experience. In fact, the 5th House comprised of a good number of higher degree holders (postgraduates) and university degree holders compared to the previous four Assemblies as indicated in table 9 in chapter five.

The Osun state 5th Assembly, 2011-2015 had the highest number of ranking members (nine, 35 percent) among the legislative sessions under discussion. Twenty-seven bills were passed into law out of which twenty-three bills 85 percent were executive bills and the remaining four bills 15 percent were private member bills. This was the first time that Osun State House members will pass private members' bills into law in the legislative history of the state. The four private members' bills and their sponsors are as follow (i) Osun State Agency for the Control of HIV/AIDS (O-SACA) Law, 2011 sponsored by Hon. Afolabi Atolagbe representing Ifedayo State constituency; (ii) State of Osun Livestock Roaming Bill, 2015 sponsored by Hon. Afolabi Atolagbe representing Ifedayo State constituency; (iii) State of Osun Mishandling of Opon-Imo (Tablet of Knowledge) Prohibition Bill, 2015 sponsored by Hon. Ipoola Binuyo, representing Ife North State constituency; and (iv) State of Osun Hotel and Other Tourism Industry Enterprises Licensing Authority (Establishment) Bill, 2015 sponsored by Hon. Tilewa Sijuwade, Ife Central State constituency as depicted in table 39 in chapter six.

Besides, it was found that the executive dominated bills that were seen in Kogi and the Osun States Assembly during the periods under consideration was as a results of the following

reasons: i) the executive is saddled with the responsibilities of initiating the bills; ii) the executive has the materials and resources to carry out these responsibilities; iii) Executive sees private member bills as a way of usurping their power; iv) the visions of executive may call for some bills; and v) there is no financial provision for private member bills, members use their own personal money to sponsor a bill. All these reasons were outcome of the interview conducted with the legislators and support staff in Kogi and Osun States.

Effect of turnover rate on oversight functions in Kogi and Osun State Assemblies, as earlier stated in chapters four, five and six, interview/questionnaire was administered on key actors in legislative activities and performance rating scale (low, moderate and high performance) were adopted to assess the effect of high turnover rates of members on oversight function of legislatures in the two states. A good number of respondents in both states agreed that experience is the best teacher because you cannot compare ranking members with non-ranking members in terms of their oversight capacity and investigatory skills. This is what they have been doing repeatedly and they have gathered experience over the years that could make them perform better than their new colleagues in their assigned committees' oversight responsibilities. They argued further that every state or national assembly needs ranking members to be assertive and effective in their oversight responsibilities. This is because the ranking members would have gathered the relevant experience that will assist them in overseeing the Ministries, Departments or Agencies under their jurisdictions. For instance, in Kogi State where the 36 respondents rated the performance of ranking members on oversight functions, 7 respondents (19 percent) rated ranking member moderate and 29 respondents (81 percent) rated ranking member high on their oversight functions. In Osun State, out of the 41 respondents, 7 respondents (17 percent) rated ranking member moderate and 34 respondents (83 percent) rated

ranking member high in their oversight function. Similarly, out of 36 respondents in Kogi State, 22 respondents (61 percent) rated non-ranking member moderate and 14 respondents (39 percent) rated them high on their oversight functions. In Osun State that had 41 respondents, 25 respondents (61 percent) rated non-ranking member moderate and the remaining 16 respondents (39 percent) rated them high on their oversight functions as represented in table 45 in chapter seven.

Effect of high turnover of members on representation and constituency services in Kogi and Osun State legislatures, the outcome of interview in the two states revealed that members' experience had effect on legislative representation and constituency services because a ranking member will know how to lobby and how to propose certain project for the benefit of constituency members. With experience, you will know where to blow hot and where to blow cold so as to win the interest of government to do something for your constituency members (Amusan, 2017). Hon. Owoeye, (2017) argued that:

You cannot compare when a child is crawling to when is walking. It is two different things, you cannot compare the two. Ranking members will represent their constituency better than non-ranking member because of their influence in the Assembly. For example, I am a third timer in the House and the majority leader; I have exploited my influence on several occasions to bring different projects to my constituent members.

Lack of experience affects legislator's representative and constituency services because experience enhances legislator's capacity to lobby for constituency projects and also to defend such project for the benefit of constituency members (Hon. Dipo, 2017). For instance, the respondents in the two states, Kogi and Osun submitted that ranking members display high performance on representation and constituency responsibilities, 75 percent and 78 percent

respondents respectively rated them high. While 61 percent and 56 percent respondents in the Kogi and Osun States respectively rated non-ranking members moderate on their representation and constituency responsibilities. These findings imply that high legislative turnover rates in both states are affecting their representation and constituency responsibilities negatively and the degree of this effect on the performance of the two states are not different.

The causes of high turnover rates of members in Kogi and Osun States as identified and analyzed in the preceding three chapters are as follow: i) Politics of zoning and power sharing; ii) Politics as a Business/Money Making Venture; iii) Voters' preference; iv) Electoral defeat; v) Electoral malpractices; vi) Strong contenders; vii) Legislators' performance; viii) Power brokers or godfatherism; ix) Desire for change; and x) Party politics.

8.3 Result of Findings

Section 8.2 had so far recapitulated the major issues addressed by the work from chapter one to seven. This section, therefore, lists the major findings of the study as follow:

- i. It was revealed in this study that Nigerian National parliament has the highest membership turnover rate (70 percent) in the world.
- ii. It was found that turnover rate in Kogi and Osun States Assemblies (88 percent and 85.6 percent respectively) stands above the highest 'normal' limit of 40 percent.
- iii. This study found that democracy will suffer if membership turnover rates are too high or too low.

Too high turnover rates:

- Is reducing the performance of lawmakers, for example, non-ranking lawmakers in this study find themselves reinventing the wheel, wasting time and effort that could have been avoided if they have better institutional memory as could be seen in the performance of Kogi and Osun states Assemblies during the period under consideration.
- It was discovered that, where lawmakers are short of expertise, unelected official such as aides, bureaucrats, and lobbyists can grow in influence.
- Increased turnover among legislators can make them short-sighted.
- Re-election concerns arising due to a higher level of turnover shorten current incumbent's horizon. He/she seeks to signal his or her competency by spending on programmes that show result immediately when he is still in the office rather than undertaking any public investment that will linger to show results and will likely benefit the future incumbent.
- Higher turnover may also lead to waste in the expenditure process as new legislators are unlikely to pursue completion of constituency projects initiated by their predecessors.
- High turnover of legislators is having a negative effect on the implementation of constituency projects, as new members of Kogi and Osun State Assemblies demand for the inclusion of their preferred projects in the budget rather than the completion of the ones selected by their predecessors.

Too low turnover rates:

- Low membership turnover blocks the elite circulation and the opportunity structures for aspiring political leaders and insurgent groups
- low membership turnover may lead to politics of exclusion and this could trigger propaganda on the part of excluded politicians to remove legislators who had spent two or three terms of office to give way to new ones

- It was also claimed that the quality of interest representation and accountability of legislators will decline due to complete sense of security of continued tenure
 - It was argued that the culture of settlement and growing influence of lobbyists as well as long-term familiarity with the system, among others, can facilitate non-competitive approaches to resource allocation.
 - The low turnover rate had led to the growth of a strong movement for setting term limits for legislators, especially in USA.
- iv. Kogi State legislature passed a total of sixty-two bills into law from 1999-2015, out of which fifty-eight (93 percent) were executive bills and the remaining four (7 percent) were private member bills. By contrast, the Osun State House of Assembly passed a total of one-hundred and three bills into law during the same legislative periods. Out of these, ninety-nine (96 percent) were executive bills and four (4 percent) were private member bills as shown in table 44 in the preceding chapter seven
- v. As reflected in the above finding, the initiative for bills and policies was left for the executive in the two states, especially by the 2nd, 3rd and 4th Assemblies of Kogi and Osun states during which there were no single private member bills initiated by the two Houses. It was in their 5th Assembly that the two-state assemblies initiated and passed four private member bills each into law.
- vi. As a derivative from the above, the reasons attributed to executive dominated bills in the two states were as follow: the executive is saddled with the responsibilities of initiating the bills; the executive has the materials and resources to carry out these

- responsibilities; executive sees private member bills as a way of usurping their power, and the visions of executive may call for some bills,
- vii. It was discovered that the inability of the legislators in both states to initiate bills was due to lack of financial provision for private members' bills.
 - viii. The respondents in the two states, Kogi and Osun subscribed to the high performance of ranking members on oversight function, 81 percent and 83 percent respondents respectively rated them high. While 61 percent respondents in Kogi and Osun State Assemblies rated non-ranking members moderate in their oversight function. The implication of this finding is that high legislative turnover rates in both states are affecting their legislative performance negatively and the degree of this effect on the performance of the two states are almost the same.
 - ix. The respondents in the two states, Kogi and Osun submitted that ranking members display high performance on representation and constituency responsibilities, 75 percent and 78 percent respondents respectively rated them high. While 61 percent and 56 percent respondents in the Kogi and Osun States respectively rated non-ranking members moderate on their representation and constituency responsibilities. These findings imply that high legislative turnover rates in both states are affecting their representation and constituency responsibilities negatively and the degree of this effect on the performance of the two states are not different.
 - x. It was found in both states that lack legislative experience due to high turnover rates of members negatively affected their legislative functions of law-making, oversight functions, and representative/constituency services.

- xi. This study reveals that the issue of legislative turnover remains important and indispensable factor for legislative performance.
- xii. This research work has shown that though there is intricate relationship between legislative turnover and performance, factors like the education and professional composition of legislature is very critical to its performance. Other factors that are also central to legislative performance include financial autonomy, quality of support staff, and parties' composition in the assembly among others.
- xiii. It was also established in the study that Kogi and Osun State legislatures are facing various challenges apart from high turnover rate of members that was hindering their legislative duties of law-making, oversight, and representation. Other challenges that legislators faced in these two states include: lack of legislative capacity and experience; weak or absence of opposition party, internal conflicts; lack of financial autonomy; party politics and lack of internal democracy; inadequate legislative infrastructure; executive interference in the leadership of the house; the challenge of public expectation; lack of complementary mind between legislators and bureaucrats; and lack of training and capacity building of legislators. It is important to note that besides the above-mentioned constraints, there are other hidden challenges that could also be attributed to the poor performance of legislative assembly in Nigeria generally and the two state legislatures under discussion in particular. These include lack of democratic political culture; the crave for material wealth; and corruption on the part of legislators among others

8.4 Recommendations

There is a need for systematic training and re-training programmes on capacity building for new legislators on law-making, oversight functions, and representation/constituency responsibilities. This will make them to be more functional as well as improve their effectiveness and efficiency in performing their constitutional responsibilities. If this is done, it will definitely enhance the legislators' performance in Nigeria's Legislatures generally and the two State Assemblies considered in this study in particular.

The performance of the States legislatures can be improved if the challenges facing them are addressed by:

- Making adequate provision for office accommodation and committees' rooms for both members and principal officials of the two State Assemblies, especially Kogi State Assembly that was mostly affected as indicated in the study.
- There must be a provision for a state of the art libraries with relevant and up-to-date books and other materials, internet facilities and uninterrupted power supply. The legislators and their legislative aides must develop the culture of reading and research for the benefit of their improved legislative performance.
- The issue of financial autonomy for states legislatures in Nigeria must be addressed urgently. The research revealed that lack of financial autonomy was one of the most daunting problems faced by the legislatures not only in the two states under consideration but also in other state legislatures in Nigeria. This will stop unnecessary waiting for fund to be released by the executive before it could spend the money that had been voted for in its annual appropriation estimates. This will improve the level of their performance on law-making, oversight functions, and representation/ constituency services. Meanwhile,

to prevent the abuse of financial autonomy a mechanism for periodic auditing and publicizing legislative expenditure must be provided to serve as internal control system.

- Kogi State Assembly urgently needs to put in place a functional State Assembly Service Commission so that the legislative support staff will have opportunity of career progression in legislative activities. The Commission will take charge of recruitment, training, promotion, and deployment of personnel into various units of the assembly from the Kogi State Civil Service Commission that has been carrying out these responsibilities since 1992 when the state had the first assembly till today.

To minimize the influence of party politics on candidate selection, the conditions for representation at the state and federal level need to be liberalized by allowing independent candidates to contest for election. Put differently, the electoral system should permit individuals to contest for national and state House of Assembly elections without belonging to any political party. This will reduce high rate of turnover as a result of party politics and also enhance the performance of legislators.

In terms of gender representation, women should be encouraged to participate in legislative activities as members. This is because Kogi had a female legislator 4 percent (one out of twenty-five members) in the 5th legislative session (2011-2015). By contrast, Osun State 4th legislature (2007-2011) also had a female member 4 percent (one out of twenty-six members). Other legislative sessions in the two states were male Assembly.

A functional website for states legislature in Nigeria should be created to guaranty steady access to information on legislatures and thereby solve the problem of inadequate and lack of accurate information presently facing most legislative Houses in Nigeria.

The salary structure of the legislators should be reviewed downward in such a way that the gap between it and that of the civil servants will not be too much. This will give way to the few sincere politicians to come on board and deliver the dividends of democracy to the greatest number of people. By this, it means politics will be less attractive to the business-minded politicians. This will go a long way to reduce the tempo of high legislative turnover in Nigeria and its attendant negative effects on their primary roles.

The internal democracy within political parties should be respected and religiously observed in the process of selection, nomination, and election of members at the party levels.

It is also recommended that measures must be taken with an expected outcome of increasing the re-election rates of legislators to at least 50 percent in order to retain institutional memory and capacity in Nigerian legislatures. Accordingly, the quality of representation and legislative performance generally will improve if elections are based on transparent objective standards and if nominations of candidates are based on good performance and accountability.

To address the problem of inexperienced legislators caused by high turnover rates of members in the state and national legislatures, it is suggested that periodic training and retraining programmes should be encouraged for the legislators at national and state levels to enhance their performance on representation, lawmaking and oversight functions.

8.5 Limitation Observed

The major limitation of this study was lack of proper documentation of vital information about the two Assemblies covered in the study and the uncooperative attitude of legislative staff to release the available information in their custody claiming that some of the information requested for was classified information. Besides, to get the legislators' interviewed was another problem as many appointments with some of them were canceled and rescheduled particularly the former legislators. Nevertheless, some relevant data were obtained from: the two Houses of Assembly (Kogi and Osun); the National Assembly, Abuja; National Institute of Legislative Studies (NILS), Abuja and interviews and interaction with the legislators' and the legislative staff of the two assemblies.

8.6 Areas of Further Research

1. Another research could be carried out to determine the reasons why turnover rates in Nigerian national parliament are higher than the rest countries of the world.
2. Research on membership turnover and legislative performance may be extended to other states that are not covered in this study.
3. Effects of other factors such as education and professional composition of the legislature on legislators' productivity may also be investigated at the state or national assembly.

Generally, legislative turnover rate in developing democracies is a relatively virgin area of research on legislative studies which can be explored by the legislative scholars and other interested researchers.

APPENDIX

LEGISLATIVE MEMBERSHIP TURNOVER AND PERFORMANCE INDEX IN KOGI AND OSUN STATES NIGERIA.

By
ASIMIYU OLALEKAN MURANA

Department of Politics and Governance, Kwara State University, Malete.

Interviewer Name(s): _____

Respondent Selection:

Meet the respondent as scheduled; tick SEX STATUS: Male [] Female [] and introduce yourself using the following wordings:

Interviewer: Sir/Ma, I am MURANA, Asimiyu Olalekan, a PhD candidate in the Department of Politics and Governance, Kwara State University Malete. I am currently conducting field work targeted at investigating ‘membership turnover and legislative performance’ focusing on the State Assemblies in Kogi and Osun. The data to be generated through this interview/questionnaire are purely for academic purposes and the anonymity of respondents are assured. The interview/questionnaire will take approximately 30 minutes. You may leave out any questions that you are not comfortable with.

Please fill in the appropriate answer in the table below:

ANS: NO []. Ask why and record here _____

YES, [] if ‘Yes’, continue the interview

PRELIMINARY: Interviewer – Fill the following information. Where necessary, ask the respondent to supply the information.

Respondent Name:

Ask the respondent to state his/her antecedents (work experience including political office

Respondent Status:

Date of Interview:

Venue of Interview:

Time of Interview:

Start time:

End time:

Observers: Interviewer should record the name and status of persons present but not part of the interview e.g. legislators (other than the respondent), legislative aide, family member, friends and associates.

- i.
- ii.
- iii.
- iv.

SECTION 1: CAUSES OF MEMBERSHIP TURNOVER *(do not read this heading)*

Interviewer: *(Read this out)* I will like to begin by asking about the causes of membership turnover in Nigerian legislature

Q1.1 Interviewer: From available data in the literature, the Nigerian National Assembly has the highest turnover rate of legislators in the world. What, in your opinion, are the causes of this?

Q1.2 Interviewer: From the data available to us, we discovered that membership turnover in Kogi/Osun state House of Assembly is even higher than that of the National Assembly which is considered the highest in the world. What informs this trajectory?

SECTION 2: ASSESSING MEMBERSHIP TURNOVER AND LEGISLATIVE PERFORMANCE *(do not read this heading)*

Interviewer: *Allow the respondent to talk freely in this section. If need be, you may ask snowballing questions that cropped out of his/her answers to the stated questions. In this case, the Research Assistant II should record such question(s) and answer(s) in the separate papers provided. NB: This should not be taken as license to deviate from the billed question, please. (Do not read this out)*

Read this out: Sir/Ma, let's talk about the effects of membership turnover on legislative performance

Q2.1: Interviewer: Do you think legislators' experience is sufficient enough to enhance the Assembly's performance?

Answer: Yes [] NO []

If the respondent say 'Yes' or 'No' ask him/her to give more insight into it. *(Do not read this)*

Q2.2: Interviewer: How long does it take a new member to learn the legislative work?

Q2.3: Interviewer: Do you consider the re-elected legislators more knowledgeable in their legislative business than newly elected members?

Answer: Yes [] NO []

If the respondent say 'Yes' or No' ask him/her to give more insight into it

Q2.4: Interviewer: what effect, in your opinion, do you think high membership turnover can have on legislative performance?

Q2.5: Interviewer: Does experience matter for legislator to draft and sponsor a bill as well as ensure its smooth passage to law?

Answer: Yes [] NO [] If 'Yes' ask the respondent to give more insight into it

Q2.6: Interviewer: Do the high rate of new members reduce the number and quality of bills' passage in the House?

Answer: Yes [] NO []

If the respondent says 'Yes' or 'No' ask him/her to give more insight into it.

Q2.7: Interviewer: Available record shows that majority of the bills being passed in the House are executive bills. What can you say on this?

Q2.8: Interviewer: Do the high rate of new members reduce the autonomy of the legislature?

Answer: Yes [] NO []

If 'Yes' ask the respondent to give more insight into it.

Q2.9: Interviewer: Does high turnover impact on legislative assertiveness in respect of their power of investigations (oversights)?

Answer: Yes [] No []

If 'Yes' ask the respondent to give more insight into it.

Q2.10: Interviewer: Would you say that the experience of members has effect on legislative representation and constituency services?

Answer: Yes [] No []

If 'Yes' ask the respondent to give more insight into it.

Q2.11: Interviewer: Since the bulk of legislative works are done at committee level. Is it possible for new member to chair a committee?

Answer: Yes [] No []

If 'Yes' ask the respondent to share his/her experience

Q2.12: Interviewer: What is your assessment of a committee chaired by a Ranking (experienced) member compared to the one chaired by new member?

Q2.13: Interview: What can you say about the House that has 100% new members, where do they start from?

Q2.14: Interviewer: Which of the following parties' composition in the House will enhance the legislative performance? (NB: Interviewer: <i>Read out options</i>)	
i. A House that is controlled by one political party	
ii. A House that is divided into two equal members of the ruling and opposition party	
iii. A House that is dominated by the ruling party	
iv. A House that is dominated by the minority party	

Ask the respondents to give more insight into any of the option chosen. (*Do not read this*)

Q2.15: Interviewer: Which of the following factors in your opinion is mostly affecting legislative performance? (NB: Interviewer: <i>Read out options and accept only one answer</i>)	
i. Education qualification	
ii. Legislators' experience	
iii. Quality of legislative support staff	
iv. Party politics/compositions in the House	
v. Innate ability	
vi. Financial autonomy of the House	

Ask the respondents to give more insight into any of the option chosen. (*Do not read this*)

Q2.16: Interviewer: The following are probable factors that can make legislator perform better than others, identify the one you agree with. (<i>Read out options and allow the respondent to pick as many answers as possible. Tick the options he/she agrees with, and leave the disagree options blank</i>)	
i. Education qualification	
ii. Cognate experience	
iii. Quality of legislative aides	
iv. Political party platform	
v. Innate ability	
vi. Social/Interest group membership e.g. Integrity group	
vii. Seniority consideration	
viii. Gender consideration	
ix. Ideological consideration	
x. Committee chairmanship	

Q2.17: Interviewer: Kindly rate the performance of new members in the following area: (Read options out and accept only one answer for each of the subheading)						
S/N	Legislative Activities	Low	Moderate	High	Below two years or after two years of membership?	
i.	Lawmaking					
ii.	Oversight					
iii.	Representation					
iv.	Constituencies Services					

Q2.18: Interviewer: Kindly rate the performance of experienced members in the following area:(Read options out and accept only one answer for each of the subheading)						
S/N	Legislative Activities	Low	Moderate	High		
i.	Lawmaking					
ii.	Oversight					
iii.	Representation					
iv.	Constituencies Services					

Q2.19: Interviewer: Sir/Ma, let's talk about what we observed to be the determining factor of people's assessment of the legislature. What can you say about the allegation that legislators are overpaid in comparison with the demand of your work, commitment and personal needs?

Q2.20: Interviewer: What are the challenges militating against effective performance of the legislature?

Q2.21: Interviewer: What do you think we can do to address these challenges?

Q2.21: Interviewer: What do you think we can do to address these challenges?

SECTION 3: ASSESSING COST IMPLICATIONS OF HIGH MEMBERSHIP TURNOVER ON THE FINANCE OF KOGI /OSUN STATES' ASSEMBLIES (do not read this heading)

Q3.1 Interviewer: Is there budget for trainings and capacity building of members?

Q3.2 Interviewer: Is there separate budget for trainings and capacity building of new members?

Q3.3 Interviewer: How much is the House spending on one legislator?

Q 3.4 Interviewer: How often do you go for training per year?

Q3.5 Interviewer: Is the cost of training legislator borne by the House?

Q3.6 Interviewer: Do the experienced and new members attend the same number of trainings?

Q3.7 Interviewer: How many are usually sent for local/foreign trainings?

Q3.8: Interviewer: How can you rate the performance of members after trainings on their legislative activities:
(*Read options out and accept only one answer for each of the subheading*)

S/N	Legislative Activities	Low	Moderate	High	Remark	
i.	Lawmaking					
ii.	Oversight					
iii.	Representation					
iv.	Constituencies Services					

Interviewer: *Read this out:* We have come to the end of the interview session, do you have one or two comments to make on issues that we did not cover but are relevant to the discussion?

If 'Yes' allow the respondent to freely talk. If 'No', read the concluding remarks.

Interviewer: *Read this out:* Thank you very much for participating in this survey. Your answers will greatly contribute to this research. If you have any further questions, information or comments on this research or related matters, please feel free to contact the researcher on this number: **08033811241**, OR e-mail address: asimiyumurana@gmail.com

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