



Political defection and the apprehension of mono-partism in Nigeria

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Abstract

This paper examines political defection and the consequent fear that the polity may slide into a one-party state. Nigeria practices a multi-party system of constitutional democracy, and politicians identify with political parties of their choice for the purpose of electoral contestation. Occasions are bound where members of the political class cross-carpet to another political party to advance the course of their political career. The appraisal of the issue employs the doctrinal methodology with the utilization of statutory law, subsidiary legislations, case-law, books, journals, and newspapers. A comparative approach of analysis was also taken advantage of to take advantage of what obtains in another emerging constitutional democracy. The findings have demonstrated the availability of defection by elected federal and state legislators and the constitutional silence on defection in respect of other categories of elected representatives. The finding that political defection has sometimes been propelled by the ruling party to boost its membership and political capital appears germane. The paper advocates the passage of political defection into history and the adoption of ideological stances by registered political parties.

Keywords: Constitutional democracy, monopartism, political defection and political parties

Introduction

A multi-party system is a political model in which more than two political parties have opportunity to contest elections, win political offices and influence the formation of government. Unlike a One-party system, where political competition is restricted to a single dominant party or a two-party system, where two major political parties dominate political competition, a multi-party system allows several political parties to operate within the constitutional framework of a polity. Nigeria operates a multi-party democratic system. The law recognizes the right of the citizenry to form and belong to political parties and participate in political activities.

The Independent National Electoral Commission (INEC) is responsible for the registration of political parties ^[1].

Political Parties and the Conduct of Elections

The development of political parties in Nigeria can be traced to the colonial period ^[2]. The Nigerian National Democratic Party (NNDP) established in 1923, was one of the earliest political parties in Nigeria. Mono-partism received a boost with the establishment of the Nigerian Youth Movement (NYM), National Council of Nigeria and the Cameroons (NCNC), Northern Elements Progressive Union (NEPU), Action Group (AG), Northern Peoples' Congress (NPC), United Middle Belt Congress (UMBC) and Niger Delta Congress (NDC) ^[3].

During the First Republic, Nigeria operated a competitive multi-party system. Major political parties including the NPC, NCNC and AG, though they had their strong regional bases, performed significant roles in the political development of the country ^[4].

Following military interventions and periods of military rule, democratic politics was restored in 1979, leading to the Second Republic. Some of the political parties such as Great Nigeria People's Party (GNPP), National Party of Nigeria

(NPN), Nigerian People's Party (NPP), and Unity Party of Nigeria (UPN) participated in elections.

The Fourth Republic began in 1999 and has continued to operate under a multi-party framework ^[5]. Several political parties have contested elections at various levels, although a few parties have remained dominant at the national level. The People's Democratic Party (PDP) and All Progressives Congress (APC) remained dominant at the national level.

The constitutional foundation for political parties in Nigeria can be found particularly in Section 40 of the 1999 Constitution, which guarantees freedom of association. By the provision, citizens are entitled to form or belong to political parties, trade unions, and other associations for the protection of their interest. More specifically, the law provides that no association other than a political party can canvass for votes for its candidate or contribute to the funds of political party ^[6]. Sections 222–229 contain provisions relating to the formation, membership, organization, finances, and operation of political party ^[7]. There has been an avalanche of occasions where members of political parties cross the floor to another party to advance their political interest.

Despite the existence of many political parties, the Nigerian political sphere has been dominated by a relatively small number of major political parties. The legal existence of numerous parties does not translate necessarily into equal power. The movement of party members to another political party appears to occupy a central place in the political culture of the Nigerian state and creates the fear that one-party system may hold sway in the course of time.

Political Party Membership

Political Party Membership refers to the voluntary association of an individual with a political party for the purpose of participating in the political process and promoting the party's political ideology, programmes,

policies and candidates. Membership provides citizens with an organized platform through which they can exercise their political rights, influence public policy and participate in elections and governance. In a democratic system, political party membership is an important aspect of political participation. Political parties serve as a bridge between citizens and government by aggregating and articulating the interests and demands of different groups in the society.

By becoming members of political parties, citizens can participate in party meetings, campaigns, policy discussions, candidate selection, party elections and other political activities. The fundamental of political party membership lies in Section 40 of the 1999 Constitution, which guarantees the right to freedom of association and of assembly. Political party membership may occur through formal registration with a political party. A person who desires to become a member is required to satisfy the membership requirements contained in the constitution of the particular party ^[8].

Membership confers rights such as participation in party meetings, voting in internal party elections, contesting for party positions where qualified, participating in the selection of candidates and supporting the programmes of the party. Party membership imposes responsibilities on members. Members are expected to comply with the constitution and rules of the party, respect legitimate decisions of the party activities and promote the objectives of the party ^[9].

However, political party membership faces significant challenges, and party membership is described as fluid. This is because individual members may change political allegiance in response to political developments, leadership disputes, electoral calculations and changing political dynamics.

Nature of Political Defection

Political defection, commonly referred to as cross-carpeting, party switching, floor crossing or decamping, describes the movement of a political office holder or politician from one political party to another.

Defection is a recurrent index of Nigerian politics and has been prominent since the advent of the Fourth Republic in 1999. Scholars have identified party floor-crossing as a longstanding phenomenon that can be traced to the First Republic. Political defection is characterized by movement of political office holders across party lines in pursuit of political opportunities, influence, relevant interest or electoral advantage.

Unlike climes where party cross-carpeting is actuated by ideological disagreements, Nigeria floor crossing is predicated on struggles for political power, intra-party disputes, access to political patronage, calculations concerning electoral prospects and disagreement over party nominations. Experience of political defection has projected that both ordinary members and elected officials have been defecting to another political parties. Studies have shown the movement of prominent politicians from one party to another to advance their political, influence, and interest.

Political Defection Found Its Feet on Constitutional Provisions

“A member of the Senate or of the House of Representatives shall vacate his seat in the House of which he is a member if being a person whose election to the House was sponsored by a political party, he becomes a member of another

political party before the expiration of the period for which that House was elected: Provided that his membership of the latter political party is not as a result of a division in the political party of which he was previously a member or of a merger of two or more political parties or fractions by one of which he was previously sponsored ^[10].”

This provision is also made available to members of the House of Assembly ^[11]. Political defection relates only to members of National and State Assemblies. By the law, persons elected to hold offices in the executive arm of the State are insulated from defection and this received judicial recognition. A major case on point is Attorney-General of the Federation & Ors v. Atiku Abubakar & Ors ^[12]. In that case, Atiku Abubakar, the Vice President under the presidency of Olusegun Obasanjo, following a political disagreement with his principal, defected from the Peoples Democratic Party (PDP) on which platform he stood election as the vice president to the Action Congress (AC). The President declared vacant the office of the Vice President on that score.

Atiku challenged this action, arguing that the President had no constitutional power to declare his office vacant merely because he had defected from the political party on whose platform he and the President were elected. The Supreme Court dismissed the appeal and upheld the decision of the Court of Appeal and the trial Court and held that defection from a political party does not, by itself, constitute a constitutional ground for removing a sitting Vice President from office. The Court rejected the argument that Atiku's defection amounted to 'constructive resignation'. Since the Constitution does not provide for loss of office by elected executive officers on ground of defection, it cannot be implied that Atiku lost his office by the defection.

In a myriad of cases, the apex Court gave judicial recognition to a possible loss of seat by legislators in the National Assembly and Houses of Assembly ^[13]. The loss of seat upon defection does not occur as a matter of course. The declaration of the seat to be vacant lies on the arms of the presiding officer of the legislature. In practice, where a member of a legislative house cross-carpet to the ruling party, the seat is preserved. The contrary has been the case where a member of the ruling party crosses the floor to another party.

Causes of Political Defection

The 1999 Constitution recognizes two grounds upon which a Federal or State legislator may defect to another political party. Where there is a division in the political party in which the legislator was sponsored, he may cross-carpet to another party without losing his seat ^[14]. On the other hand, the legislator would retain his seat where he joined another party following a merger of some political parties in which his former party is involved ^[15].

Other than the constitutional grounds authorizing defection of a division in a political party, some causes have been identified as being responsible for defection.

Constitutional Controversy Surrounding Sections 68(1)(g) and 109(1)(g) of the 1999 Constitution

The controversy surrounding Section 68(1)(g) and Section 109(1)(g) of the Constitution concerns in the main, political defection by members of the National Assembly and State Houses of Assembly and the import of the provision that permits a defecting legislator to retain his seat.

The Sections above provide that a member of the National Assembly or State House of Assembly must vacate his seat if he crosses the floor of the party which sponsored him to the Legislature to another political party before the expiry of his tenure.

However, there are two significant exceptions to these provisions. They are where the defection is orchestrated by a division within his former political party, and where there is a merger of two or more political parties or factions, one of which previously sponsored the legislator.

The controversy arises as to what amounts to a "division". The Constitution has not defined in clear terms what constitute a division. This lacuna has created considerable controversy. Questions have been posed whether a serious disagreement or factional crisis within a political party permits a legislator to defect and retain his seat, or must the division be so serious that the party can no longer function.

This issue was addressed when the apex court held that the division must be one sufficiently serious to inhibit the proper functioning of the political party, and that a mere disagreement or division at the state or local level of the party is not sufficient ground to justify defection ^[16].

In that case, the Appellant was elected to the House of Representatives on the platform of the Labour Party (LP) but later defected to the Action Congress of Nigeria (ACN). He argued that his argument was that there was a division in the Labour Party (LP) in Ondo State where he hails from which justified his defection. The Supreme Court rejected the argument and held that the division relied upon by the appellant must be sufficiently fundamental to affect the ability of the previous political party (Labour Party) to function effectively and that Section 68(1)(g) could not be availed him.

Enforcement of Constitutional Provisions and Authority to Declare Seats Vacant

Another element of the controversy relates to the enforcement of the provisions. A major problem is who is the authority to declare the seat of a defector vacant.

Though the provisions appear on the face value to be simple, but in practice its enforcement has been tainted with political coloration. Experience has shown that the leadership of the National Assembly or State House of Assembly has been reluctant to declare the seat of a defector vacant where the defection benefits the ruling party or the leadership itself ^[17].

In that case, the Plaintiff who was a member of the PDP defected to the ruling APC party but the Speaker of the Benue State House of Assembly refused to declare the seat of the plaintiff vacant because the defection benefited the ruling APC. The same scenario played out when Yakubu Dogara, a Member of the House of Representatives defected from the PDP to the ruling APC, but the Speaker of the House refused to declare Dogara's seat vacant.

Femi Gbajabiamila, Speaker of the House, refused to declare Dogara's seat vacant ^[18].

Application of Defection Exceptions to Elected Executive Officers

The third element of the controversy relates to the application of the exception for defection to only Federal and State legislators, leaving elected Executives such as the President, Vice-President, Governor, and Deputy Governor,

Chairmen and Councillors of the Area Councils in the Federal Capital Territory, Abuja.

The Apex Court took the position that elected executives are insulated from loss of seat by virtue of defection since the Constitution has not factored them in ^[19]. By legal extrapolation, Councillors in area councils of the FCT cannot lose their seat upon defection.

Death of Party Ideology

Ideology constitutes an important component of political parties as it provides the values, beliefs, principles, and objectives that drive operational mechanics of the party. Political parties are distinguished by their ideological leanings such as Conservatism, Communism, Liberalism, Nationalism, Republicanism, and Social Democracy.

However, ideological standings have gradually declined as modern political parties are becoming increasingly less committed to identifying with a particular ideological stereotype. Rather, they are adopting practical spectrum policies designed to attract a wider range of the electorate. Thus, the death of ideology does not translate to complete disappearance of political beliefs. Instead, the undermining of ideological adoption presupposes a decline in the importance of strongly held traditional ideological programmes.

The death of ideology may be traced to electoral competition, development of the welfare state, decline of extreme ideological factions, influence of mass media, pragmatism, and globalism. Political parties and elected executives adopt certain beliefs couched in short phrases as their mantra of operational conduct, and political parties sermonise the mantra and claim to deliver development and the wellbeing of the people through it.

Such compass included 'Change' ^[20] and 'Renewed Hope' ^[21]. The agenda manifestos of political parties encapsulate promises concerning employment, agriculture, infrastructure, security, education, economic development, and healthcare.

The surmise is that political ideology is less influential among political parties who prefer autochthonous political prescriptions.

Ethno-Regional and Alliance Politics

Practising ethno-regional politics, the Nigerian State is clearly identified as an ethno-regional polity, which may be described as the organisation of Nigerian political competition along ethnic and ethno-regional lines, rather than programmatic or ideological cleavages. Despite state creation, the Nigerian polity sits on three historically dominant ethnic regions: Hausa-Fulani, Yoruba and Igbo. This pattern may be traced to the First Republic and persists till date.

Ethno-regional political leanings define Nigerian politics as a structural feature of competitive politics in Nigeria. From this structure, alliances align accordingly to the extent that foundational membership of an alliance party becomes zeroed to the ethnic group that initiated the alliance ^[22].

The standard contemporary illustration situates in the formation of the All Progressives Congress (APC) from the merger of the Action Congress of Nigeria (ACN), the Congress for Progressive Change (CPC), the All Nigeria Peoples Party (ANPP), and a faction of the Peoples Democratic Party (PDP), all between the Yoruba and Hausa-Fulani ethnic groups ^[23].

Internal Party Crisis

Internal party crisis represents the 'division' contemplated in sections 68(1)(g) and 109(1)(g) of the 1999 Constitution. It has been a most cited rationalisation behind every political defection, when truly they may be extraneous reasons. Since internal discord has defined political parties in Nigeria, internal party crises have been invoked to justify political defections ^[24].

The persistence of internal party crisis may be traced to the formative character of some major political parties. An instance is that the protracted conflict in the PDP generated from the assemblage of political grandees without a well-articulated governing vision beyond the capture of the essence of power and the attendant benefits ^[25].

Internal party crises are orchestrated by money politics, factionalism, poor internal democracy, over ambition of party leaders, and patron-client politics ^[26].

Lack of Internal Party Democracy

Where the internal processes of a political party relating to selection of candidate, leadership succession, and dispute resolution mechanism are cornered by a political oligarchy and genuine electoral contestation in the primaries is denied party faithful, the aggrieved members are constrained to exhibit disloyalty to the party. The resulting consequence lies in such members exiting the party to another.

Internal party democracy refers to the range of practices by which ordinary members are included in a party's internal deliberation and decision-making. The literature on this causal agent of political defection has identified a number of variables as constituting the factors. The first is the element of god-fatherism where an executive wielding political power and monetary influence determines who contests election, delivers the candidate at the poll as a winner, and sometimes dictates the course of governance of the beneficiary. Although it should be presumed that all members of a political party are equal, the party oligarchy imposes candidates for elections at the detriment of competence, satisfaction of zoning arrangement or the will of the majority of party members.

Thirdly, the concentration of power on the arms of the National Working Committee excludes input from state, local government, and ward structures of the party. Thus, structural levels merely exist to take instructions from the national body of the party rather than make contributions for the proper running of the party.

Mention must also be made of the routine flouting of party's constitution and guidelines on the conduct of primaries. For the purpose of participating in primary elections, there have been doctored delegates list, denial of access to voters' register, and last-minute change of the mode of the primaries from direct to indirect system to favor certain contenders ^[27].

Lack of Party Discipline

All political parties in Nigeria possess constitutions which encapsulates the code of conduct for members and grounds for expulsion or disciplinary measures against any erring member.

The disciplinary measures include suspension or outright expulsion from the party. In practice, the constitutional mechanism of discipline has been hardly invoked against any member who defected from the party.

Party discipline manifests in the willingness of a political party to invoke its constitutional provisions on discipline against any member whose conduct runs contrary to the contemplation of the constitution. This may be done by withholding nomination, endorsement, or patronage from a member who has publicly presented the party in a precarious light and refusal to celebrate defectors from other parties.

Political defection attains a detestful state when a party loses members to another party but celebrated by the benefitting party. The quest for electoral success to gain access to state power and by extension public treasury propels indiscipline among party gladiators.

Patronage and Financial Incentives

Political defection is orchestrated not by ideas of executing good governance and the development of the polity but towards gaining access to the public treasury. It has been identified that the wave of defections in the fourth republic particularly between 2014 and 2026 were fueled by political survival, access to state patronage, and alignment with the Federal Power.

Politicians offered these explanations to justify their movement between parties and escape public attacks ^[28].

The Federal Principle in Nigeria has been described as feeding bottle federalism. State Governments are heavily dependent on monthly statutory allocations from the Federation Allocation Committee of the Federal Government rather than relying on their internally generated revenue. The reliance weakens their accountability to local populations and ties their fiscal survival to maintaining favorable relationship with the Centre ^[29]. Given that the Federal government controls the revenue derived from oil and other sources of income, and coercive apparatus of the nation, joining the ruling party at the center is to enjoy the largesse of the country becomes a practical necessity rather than a mere political preference. The centralisation of national resources at the center provides the gateway for politicians to extract wealth which would have been otherwise inaccessible.

Identification with the central government affords defectors, godfathers in their new political heaven. The defectors believe that their action would attract financial incentives, protection from prosecution over corrupt practices, access to appointment and contracts as well as Party and campaign financing.

Personal Political Ambition

Personal political ambition drives factional infighting, political differences, and political defection in Nigeria.

Political parties in Nigeria are largely built around elite aggregations of elite interest instead of distinct ideological dispositions. Political differences are hardly predicated on policy issues but emerge as a result of the clash of politicians over access to state power, party nominations, and control of the operational mechanics of the political party or State institution.

When a politician refuses to abide by established zoning arrangement by virtue possibly because he commands influence and wealth, political differences are bound to tear the party apart.

The 2023 general election experience deep political fractures arising from personal political ambition of a member of the PDP. This ambition led the former Vice

President, Abubakar Atiku to contest the presidential primary of the party and won. The ambition tore the party into pieces as Southern Nigeria expressed the sentiment that his ambition was an affront to the rotation sentiment which favored the South. The sentiment raged on the ground that a Northerner, President Muhammadu Buhari, had served for two terms of eight years and that it was the turn of the South to take a slot.

The desire of outgoing Governors to install successors of their choice and maintain influence over the state also lend credence to personal political ambition. The selfish ambition of political gladiators further dictates the electoral contestation of outgoing Governors to the Senate in defiance of zoning arrangement. The rift between the former Governor of Rivers State, Mr. Nyesom Wike, and the Minister of the FCT, and his god-son successor, Mr. Siminalayi Fubara, perfectly illustrate the personal political ambition of politicians. The imbroglio split the State House of Assembly, paralysed governance, coerced lawmakers to defect to other political parties and ultimately led to the declaration of emergency rule in the State ^[30] and the loss of second term bid by the Governor ^[31].

Power Struggles and Rivalry among Political Elites

Political elites are individual or groups of persons who possess substantial influence over political parties, government institution, electoral processes and access to state resources.

In the Nigerian polity, there have been competitions among elites for attainment of political offices, party leadership, control of party structures and access to public treasury. The competition usually creates frictions that eventually propel party members to switch to another political party.

The desire to acquire or retain political power is one of the major reasons why politicians cross-carpet in Nigeria. Political actors who believe that their chances of obtaining political offices are greater in another party may abandon their existing party and join a more politically advantageous one ^[32].

This is particularly common before elections when politicians access which party is more likely to provide them access to state offices. The PDP began 2025 with eleven Governors but lost six Governors to the APC through defection ^[33].

In 2026, the PDP further lost a governor to Accord Party ^[34]. There has been the prevalence of competition among privileged elites to control political parties. Where powerful politicians disagree over who should control a party, conflicts may develop between the factions therein.

The rivalry between powerful politicians as to who should control the machinery of the party created two major factions and brought the PDP to its knees ^[35].

Political elites may cross-carpet when they feel that they have been deliberately marginalised by their party leadership. Such marginalisation may manifest in the denial of nomination, important party positions, disagreement over the distribution of political appointments, or loss of political influence ^[36].

The pursuit of political relevance and the survival of politicians within the Nigerian milieu relates to continued access to power, state patronage, electoral tickets, appointments, contracts, immunity from criminal prosecution and political extinction ^[37].

Politics in Nigeria is fashioned around godfathers, power of incumbency, and access to the federal government commonly referred to as the centre. The same scenario applies to states where local governments seek to identify with the state government to earn political relevance. As a result, politicians cross-carpet to other political parties not on principles, but to remain politically afloat.

The Nigerian state operates a highly centralised federation, and states and individuals not aligned with the ruling party at the center are often denied appointments, projects and sometimes staved from obtaining electoral ticket and even winning elections in their parties ^[38]. The wave of defections to PDP from other parties between 1999 and 2003 as well as the mass movements of politicians to the APC from 2014 to 2026 were premised on 'bringing federal presence home' ^[39]. Thus, political defection is used to bargain for development and political relevance.

Another element of the pursuit of political relevance and survival hinges on securing electoral ticket at primaries. It is beyond disputation that party primaries are heavily monetised and manipulated ^[40]. When a politician perceives he will lose at the primary election, floor-crossing becomes imminent. The 2018–2019 and 2022–2023 cycles witnessed members of over 30 Senators and 60 House of Representatives defect after losing primaries to the APC ^[41]. In a one-party state, opposition figures are excluded from contracts, board appointments, and local government allocations ^[42]. Defection to the ruling party at the state level is a survival strategy. It was observed by the Court of Appeal that defection is often politically expedient even where legally questionable ^[43].

There is public perception that membership of the ruling party shields politicians from EFCC, ICPC, and Police investigations over past criminal conduct ^[44]. Although not grounded in law, this perception makes defection attractive for politicians standing criminal trials or likely to be prosecuted. In fact, a former National Chairman of the APC, Mr. Adams Oshiomhole posited that once a person joins the APC, his sins are forgiven ^[45].

The Republic of Ghana and Nigeria are Western African nations practising Presidential System of Governance and are developing emerging constitutional democracies.

Political defection, commonly called 'cross-carpeting', is a common feature in electoral engineering process in Ghana. This manifest itself in a member of the Parliament abandoning the party he contested election to the legislature to another political party or jettisoning his party membership to become an independent candidate. The law authorises political defection in respect of legislators only. It provides:

“(1) A member of Parliament shall vacate his seat in parliament

(g) If he leaves the party of which he was a member at the time of his election to parliament to join another party or seeks to remain in parliament as an independent member; or

(h) If he was elected a member of Parliament as an independent candidate and joins a political party ^[46].”

Political Defection in Ghana

The Supremes Court of Ghana has interpreted the anti-defection provision to specifically apply to mid-term switching during the currency of the parliamentary term

rather than the plan of cross-carpeting by members of parliament in respect of a new term ^[47].

Legal scholars have identified the causes of cross-carpeting to include personal political ambition, elite factional disputes, access to state resources, structural constituency pressures, and lack of ideological disposition ^[48].

Effect of Political Defection

A consideration of the implications of party switching may be understood in perspectives. A legal and constitutional effect of political defection projects that a legislator who defects without division or merger is to vacate his seat. The Court of Appeal showcased this effect when it declared the seats of 12 defectors vacant ^[49]. However, many defectors remain in office because of the length of time in exhausting the judicial ladder up to the Supreme Court and the refusal of the presiding officers of legislatures to declare the seat of a defector vacant, particularly when the defection benefits or endures to the advantage of the ruling party.

Political defection has reduced Nigerian political parties to electoral vessels rather than ideological platforms ^[50]. Politicians cross-carpet on the desire to gain access to political power.

This has prevented the institutionalisation of political parties. The mass movement of party faithful to other political parties shows the transactionality of political party membership.

Political defection causes frequent realignment in the National and State Assemblies. It may lead to change of leadership, legislative blackmail, and impeachment of the presiding officer. The 2014 defection in the House of Representatives reordered the majority configuration ^[51].

Conclusion

Political defection has been a recurring feature in Nigerian and Ghanaian politics. The Nigerian and Ghanaian Constitutions have not generally provided for defection, but the phenomenon is stated as one of the grounds that would cause loss of seat by a legislator. There has not been an avalanche of litigation arising from defection. The political sphere has witnessed a multitude of defections spanning between elected representatives and other party members. A prominent feature has been the refusal of presiding officers of legislatures to declare the seat of a defector vacant. The Supreme Court recognised the authority of the presiding officer of a legislature to declare the seat of a defector vacant ^[52]. Members of political parties are bereft of apprehension to defect to other parties, particularly the ruling party. The notion that the presiding officer of the legislature would not declare the seat of a defector vacant because the defection benefits the ruling party, and the snail speed of judicial adjudication irrigates the nursery of political defection. Defection gains greater momentum in Nigeria as attainment of political office is founded on party membership. In Ghana, defection resonates between party members and independent candidates.

It may be impracticable for a political party to adopt any traditional established ideological posture, but an ideological disposition adopted to suit the milieu of the country would suffice. Political defection has exhibited the tendency of strengthening the ruling party, weakening opposition parties, and creating the fear of the polity sliding into a one-party state. The legislature may consider the abrogation of defection rule in the Constitution.

This will not defeat the fundamental right to freedom of association.

The groundnorm envisioned the scenario arising from political defection when it subjected, the right to freedom of association is subjected to certain overriding interests ^[53].

In the alternative, the National Assembly may diverse the presiding officer of a Legislative of the power to declare the seat of a defector vacant.

The declaratory power should be vested in the INEC and the commission should immediately declare the seat of a defector vacant once credible evidence of media reportage reflects same.

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