

## Nigeria's National Assembly: A Slowly Maturing Legislature

Omomayowa O. Abati & Temitayo Isaac Odeyemi



Nigeria is a Federal Republic, located in the western subregion of Sub-Saharan Africa. Known for its population and diversity, it is home to over 200 million people of about 250 ethnic extraction who speak over 500 distinct languages.<sup>1</sup> To manage the multiple identities of its population, Nigeria operates a federal governance arrangement with government powers divided between three tiers of government – federal/centre, 36 states and 774 local governments. In 1979, the country changed its inherited British-style parliamentary system to a presidential system with governmental powers shared between three independent branches - the executive, judiciary, and the legislature. While the judiciary is filled by appointment, the executive and legislative positions are filled through elections. The President at the federal, and Governors at the state, are elected Heads of State and Government. The legislature operates a bicameral structure at the national and a unicameral structure at the subnational levels. The choice of a bicameral national legislature allows for the balancing of regional, ethnic, religious, and linguistic diversities that are prevalent in the country while ensuring better checks on executive domination.

### History

The Nigeria National Assembly (NASS), as presently constituted of the Senate as the upper chamber, and the House of Representatives (HoR) as the lower chamber, has a long history that dates back to 1862, when the Lagos Legislative Council was established alongside the creation of a crown colony in Lagos (Tongs, Fagbadebo & Alabi, 2023: 23). As colonial powers expanded in geographic jurisdiction, the Legislative Council of Southern Nigeria was established in 1913. With the amalgamation of the Northern and Southern Protectorates, in 1914, the Nigerian Council was

---

<sup>1</sup> <https://data.un.org/en/iso/ng.html>

created but later replaced by the Legislative Council through the 1922 constitution. Across British Colonies, though the size and structure of Councils often changed, their functions remained that of an advisory body till the time of independence (Fashagba, 2018). For example, while Nigeria's Northern, Western, and Southern Legislative Councils changed from unicameral structure to bicameral in 1946, 1951, and 1958, respectively, their powers remained mostly advisory, nonetheless. This way, the colonial legislatures were always subordinate to the executive, a legacy that continued past independence.

Worse still, the legislature was always at the receiving end of the several military intercessions that the country witnessed, as it was often the first arm of government to get proscribed by the military (Suberu, 2018). This meant that between 1966 and 1979, 1983 and 1992, and from 1993 to 1999, there was no operational legislature in the country. The effect of this was that while the executive arm of government became stronger, the legislature always had to rebuild itself from scratch at the restoration of democracy, however short-lived. However, since 1999, the Nigerian legislature has had the opportunity to grow organically as a democratic institution with opportunities to expand its governance and policy influence (Ojo & Omotola, 2014).

### **Powers and Functions**

Like most legislatures, the Nigeria NASS has a tripartite power mandate of lawmaking, oversight, and representation. First, the lawmaking powers of NASS cover 66 items in the Exclusive Legislative list set out in Part I, Second Schedule of the Constitution while it shares lawmaking powers with the state legislatures over 32 items in the Concurrent Legislative list set out in the first column of Part II of the Second Schedule of the Constitution, as amended (FRN, 1999). The former include issues like diplomatic and foreign relations, defence, aviation, census, citizenship, monetary and capital issues, creation of states, etc., while the latter include tax collection, electricity generation and transmission, health, and education etc. Second, NASS has powers for legislative oversight which ensures it can perform checks and balances on other arms of government, especially the executive. The oversight powers are however not without qualification, as Section 88(2) of the Constitution provides that the powers are only to be exercised only to enable it to "make laws..., or to expose corruption, inefficiency, or waste in the execution" of the laws it has made. Lastly, in exercising both its lawmaking and oversight powers and functions, NASS represents the general citizenry. This way, NASS maintains its legitimacy by being accountable to voters not only at elections but also throughout the parliamentary term.

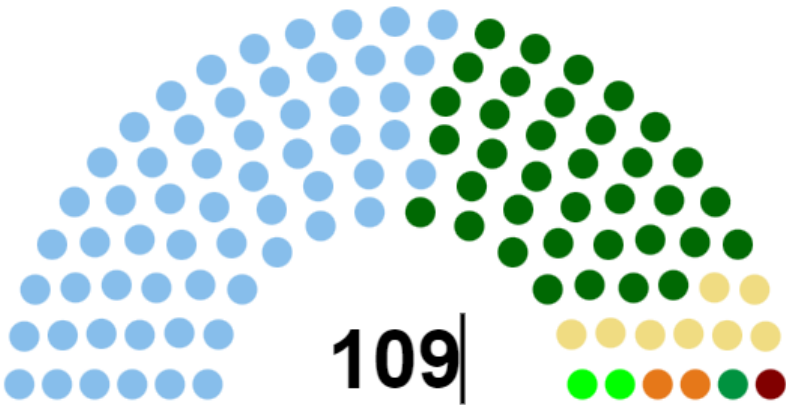
### **Electoral System**

Elections into the legislature follow the First Past the Post (FPTP) majoritarian system, where the candidate with the simple majority of votes cast is declared the winner. The legislators are elected for a four-year term from single-member constituencies, which produces a direct citizen-legislator connection. A legislator can be re-elected for many terms, on the condition that specific qualification and disqualification criteria are met. For example, to be elected to the Nigerian legislature, a person must be of sound mind, not bankrupt, without a criminal conviction, educated up to a School Certificate, and a member of a political party. Through an internal arrangement, members elect their legislative leadership using the same simple majority electoral system.

## Size and Party Representation

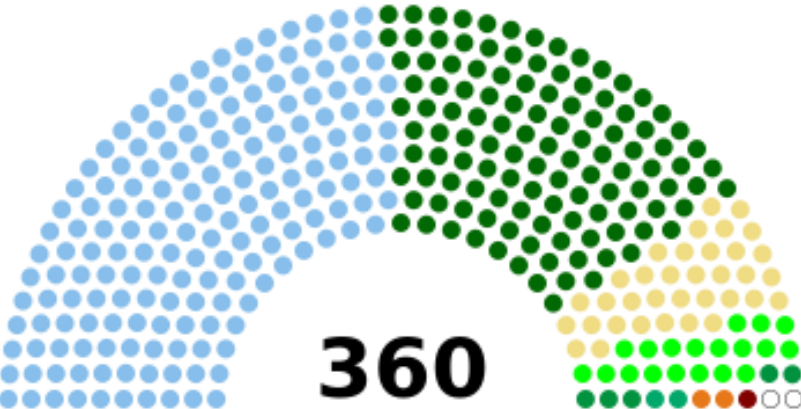
### Senate

The Senate consists of 109 Senators, with three Senators elected from each of the 36 states while the Federal Capital City (FCT) has just one. Without a legal provision for independent candidacy, all Senators are members of different political parties. After legislative elections in 2023, only seven political parties were represented in the Senate, with the All Progressive Congress (APC) controlling the majority while the Peoples Democratic Party (PDP) lead the minority group of parties. Other parties in the minority caucuses are the Labour Party (LP: 7), New Nigeria People’s Party (NNPP: 2), Social Democratic Party (SDP: 2), All Progressive Grand Alliance (APGA: 1), and Action Democratic Party (ADP: 1).



### House of Representatives (HoR)

The HoR has a total of 360 representatives, who are drawn based on the population sizes of each state, ranging from a minimum of two to a maximum of 24 representatives. Lagos and Kano, being the most densely populated states have 24 representatives each while FCT has just two representatives. While the objective of this distribution is to ensure that there is a balance in representation between the states of the federation, there is still agitation that the northern states are overrepresented leaving the southern states underrepresented in the HoR (Demarest & Langer, 2023). In terms of party representation, eight political parties are represented in the HoR, as APC also maintains control with 176 MPs, while PDP leads the minority groups with 118 MPs. Other parties represented are, LP (35), NNPP (19), APGA (5), ADP (2), SDP (2), and Young Progressive Party (YPP: 1).



**Descriptive representation, relations with other actors, and public engagement**

The Nigerian NASS is dominated by middle-aged (40-55) male MPs whereas women and young people (under 35) are grossly underrepresented (see Table 1 below). Although, they make up almost half and about 60 percent of Nigeria’s population, respectively, less than 6 percent and 10 percent of NASS members are women and young MPs (Abati, 2024). In the case of youth representation, attempts were made in recent times to improve the level of representation by way of a constitutional amendment, dubbed the #NotTooYoungtoRun law (in 2018), which reduced the age at which people can contest for election to the House of Representatives (and the State Houses of Assembly) from 30 to 25, leaving that of the Senate unchanged at 35 years. Despite this, not much has improved in youth descriptive representation (Abati, 2024). Attempts to improve women's representation have not been as lucky though, with successive assemblies rejecting bills to introduce gender parity laws in the Nigerian legal framework (Adetayo, 2022). Reforms relating to improving the political rights of PWDs are still at the level of improving their access to voting with little effort directed at engendering their inclusion as political candidates and representatives (Shittu, Odeyemi, & Asiyanbi, 2024).

**Distribution (Percentage) of Women in Elective Legislative Positions from 1999 to 2023**

Elective Office	Seats Available	1999	2003	2007	2011	2015	2019	2023
House of Representatives	360	13 (3.6)	21 (6)	25 (7)	19 (5.2)	20 (5.6)	12 (3.3)	16 (4.4)
Senate	109	3 (2.8)	4 (3.7)	9 (8.3)	7 (6.4)	8 (7.3)	8 (7.3)	3 (2.8)
House of Assembly	990	12 (1.2)	39 (4)	54 (5.5)	68 (6.9)	39 (3.9)	51 (5)	48 (4.9)

Source: Updated with INEC Election Results

In terms of relationship with other branches of government especially the executive, the NASS has amassed considerable strength; it is more influential today than in the early parts of democratisation in 1999. The two chambers have significant opportunities for policy-governance influence through their leadership stability relative to the early eras, financial and operational autonomy, enhanced role in budget scrutiny, and dedicated legislative staff. Unlike the fourth (1999 to 2003) and the fifth (2003 to 2007) cohorts when the Senate had five presidents and the HoR had three speakers, the institutions have enjoyed leadership stability with political leadership able to start and complete their tenures since the sixth cohort (2007 – 2011) of the Senate and the seventh cohort (2011 to 2015) of the HoR. Also, through a constitutional amendment driven by the 6<sup>th</sup> NASS in 2010, the institution enjoys financial autonomy, able to plan and executive its finances. Its influence extends to its capacity to scrutinise executive budget proposals. Through the activities of the National Assembly Service Commission (NASC) and the National Institute for Legislative and Democratic Studies (NILDS), it is also able to recruit and train its own dedicated and specialised personnel, in ways that help to strengthen its operations (Gbahabo, Dan-Azumi & Igabnoi, 2019).

The legislature is however still facing challenges in key areas, most notably in terms of its relationships with the public, and how it is widely perceived as a democratic actor (Odeyemi, 2024). It is common for results of many surveys to rate the legislature as one of the least trusted institutions in the polity, worse than the other branches of government at least.<sup>2</sup> Similarly, the job

<sup>2</sup> <https://www.afrobarometer.org/wp-content/uploads/2022/08/Nigeria-Afrobarometer-R9-Summary-of-Results-26august2022.pdf>

performance of the institutions and individual MPs is also rated as below expectations. Some of the poor ratings and criticism of the legislature however result from the institution's reticence in exercising agency and investing efforts to promote public understanding of its role, activities, and significance (Odeyemi, 2023). The institution is still generally poor in the key aspect of conventional and [digital engagement practices](#) which are becoming a key part of the overall strategies of legislatures in many contexts (Odeyemi & Abioro, 2019).

### **Author bio**

Omomayowa O. Abati is a postdoctoral research fellow at the Department of Politics, Stellenbosch University where he recently completed his doctorate in Political Science, with a thesis that explored the mechanisms of political candidacy, representation and legislative effectiveness of young politicians in Nigeria. Omomayowa also serves as the Early Career Officer of the African Politics Specialist Group of the UK Political Studies Association (PSA).

Temitayo Odeyemi recently completed his doctorate in Politics and International studies at the University of Leeds. His PhD research explored the development of the legislative institution in Nigeria, with respect to the key aspect of relationships with the public and how these link with democratic inclusion and resilience goals. He has also taught Political Science at the Obafemi Awolowo University, Nigeria.

## References

- Abati, O.O. (2024). *Beyond #NotTooYoungToRun: Party Candidacy, Parliamentary Representation, and Legislative Effectiveness of Young Politicians in Nigeria's Fourth Republic* (PhD Thesis, Department of Political Science, Stellenbosch University, South Africa).
- Adetayo, O. (2022, March 1). Nigerian Women protest parliament rejection of pro-equality bills. *Aljazeera News*. <https://www.aljazeera.com/news/2022/3/2/nigerian-women-protest-parliament-rejection-of-pro-equality-bills>
- Demarest, L., & Langer, A. (2023). Managing Diversity in Nigeria's Fourth Republic National Assembly: Integrated Parties versus Ethno-Regional Balancing. *Publius: The Journal of Federalism*, 53(4), 593-617.
- Fashagba, J. Y. (2018). The Legislatures in the First and Second Republics. In A, C. LeVan & P. Ukata (Eds.), *The Oxford Handbook of Nigerian Politics* (pp.207-220). Oxford University Press.
- FRN (Federal Republic of Nigeria). (1999). *Constitution of the Federal Republic of Nigeria*. Government Printer.
- Gbahabo, T., Dan-Azumi, J. D., & Igbanoi, L. (2019). Strengthening Legislative Committees and Processes: Role of NILDS. In M. I. Obadan, J. D. Dan-Azumi, & S. Egwu (eds.), *Treatise on Legislative Capacity Development for Good Governance in Nigeria: A Festschrift for Professor Ladi Hamalai* (pp.131-149). Abuja: NILDS.
- Odeyemi, T. I. (2023, October 11). Nigerian legislatures need to repair their poor relationship with the people. *LSE at Africa blog*. <https://blogs.lse.ac.uk/africaatlse/2023/10/11/Nigerian-legislatures-need-to-repair-their-poor-relationship-with-the-people/>
- Odeyemi, T. I. (2024). *Institutional development and legislative public engagement in Nigeria: Breaking down the bars of iron?* (PhD Thesis, University of Leeds, UK).
- Odeyemi, T. I., & Abati, O. O. (2021). When disconnected institutions serve connected publics: subnational legislatures and digital public engagement in Nigeria. *The Journal of Legislative Studies*, 27(3), 357–380.
- Odeyemi, T. I., & Abioro, T. (2019). Digital Technologies, Online Engagement and Parliament-Citizen Relations in Nigeria and South Africa. In O. Fagbadebo and F. Ruffin (Eds.), *Perspectives on the Legislature and the Prospects of Accountability in Nigeria and South Africa* (pp. 217-232). Springer, Cham.
- Ojo, E. O. & Omotola, J. S. (Eds.), (2014). *The Legislature and Governance in Nigeria Volume I*. Ibadan: John Archers Publishers Ltd.
- PLAC (Policy and Legal Advocacy Centre). (2015). *A Guide to the Nigerian National Assembly*. Abuja: PLAC.
- Shittu, A.K. Odeyemi, T.I. and Asiyanbi, K.A. (2024). Do disabled people also vote? Electoral Frameworks and voting participation in Nigeria's 2019 elections. *Disability & Society*, 39 (4), 872-891.
- Suberu, R. T. (2018). Legislative Development and Decadence in the Fourth Republic National Assembly. In A, C. LeVan and P. Ukata (Eds.), *The Oxford Handbook of Nigerian Politics* (pp.221 – 238). Oxford: Oxford University Press.
- Tongs, L. A. Fagbadebo, O. & Alabi, M. O. A. (2023). The Historical Overview of the Evolution of the Legislature in Nigeria. In Fagbadebo, O. & Alabi, M. O. A. (eds.) *The Legislature in Nigeria's Presidential Democracy of the Fourth Republic: Power, Process, and Development*. Switzerland: Springer Nature AG.