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THE PHILOSOPHICAL QUEST FOR JUSTICE IN THE NIGERIAN SOCIETY

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Abstract

Human society is socially configured in a manner that dispute becomes inevitable. Due to human interaction, there is the need for conflict management and resolution. In other to achieve a just and fair resolution, the quest for justice becomes the basis of any society. The concept of justice is as old as man itself. It is a moral and political concept with no equivocal definition. The whole idea of law and legal theories is towards the attainment of justice. The quest for justice in any society is predicated on the whole fabrics of the society including the philosophy, culture, moral, religion, and tradition. Where pursuit of justice is not attained, injustice will strive and where justice cannot be served to the common man, the society will be in comatose as the people may resort to self-help. The authors therefore argue that pursuit of justice is essential in nation building as it builds the confidence of the masses in the various institutions. The paper examines the concept of justice in Nigerian society and the obstacles affecting the realization of justice. The paper concludes the need for institutional reforms among other things as a panacea to achieving justice in our legal system.

Keywords: Justice, Nigeria Legal System, Political philosophy, Moral Philosophy, Law

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1. Introduction

The concept of justice without law is perhaps not incoherent, but it is unavoidably vacuous (empty). The standing point in the discourse about justice is perhaps best made, when one considers one of earliest thought about the concept. Justice is fundamental to the well-being of any society. It ensures that rights are protected, wrongs are redressed, the rule of law is respected, and individuals have confidence in the institutions meant to serve them. In another discourse, it has been settled that without law and order in place, it may be very difficult to discern the province of justice. Yet, in Nigeria, the journey toward justice has been long, wrought with many challenges, and is still ongoing.

In the medieval period, the philosophers of that time perceived the concept of justice from ethical point of view. Justice is considered as a subset of morality that dictates how one relates to another. As time goes by, justice was conceptualized from the religious perspective where St Augustine argued that true justice cannot exist in a society that does not give God His due (worship and obedience). The contemporary view on justice is from the rule of law. Justice is considered as a proper application of the rule of law to a given circumstance. Modern political thinkers now view justice as fairness, equality, freedom, and etcetera. While none of these conceptualizations can be said to be inferior to the other, the modern political thinker on justice seems to align with this research work. This is because law cannot be applied in isolation; rather it must be applied with the sole aim of achieving justice. However, none of the concepts identified as justice can fully account for what justice is. Justice is now conceived more as what the court will do while applying law to a given situation.

It is worthy of note, that a strict application of law may sometimes lead to injustice where the rigid letter of the law fails to put into consideration the complexity of human circumstances and intent of the law makers.

2. The Nature and scope of Justice in the Nigerian context

Justice remains one of the most contested and elusive concepts in law. There is no single, universally accepted definition. Instead, justice is shaped by context, culture, and perspective. For the purpose of this discourse, we must adopt a working understanding not to oversimplify, but to anchor our reflections. Lord Denning M. R defines justice as the measure authorized by law so as to keep the stream of justice pure, to see that trials are fairly conducted, that arrests and searches are properly made, that lawful remedies are readily available and that unnecessary delays are eliminated.¹

The term “justice” originates from the word “just,” which speaks to what is lawful, fair, and morally right. According to *Black’s Law Dictionary*, justice is “the fair treatment of people... the proper administration of law... the system by which people and their causes are judged.”² Justice is a three way traffic, for instance, in Criminal Law-justice means justice for the complainant, justice for the accused and justice to the state. Also in Civil Law; justice for the injured person/victim, justice to the wrongdoer and justice for the society, by making the wrongdoer pay

¹ Denning MR, “The Due process of Law (Butterworths) 1980 (ed.), P. 5

² Bryan A. Garner, *Black’s Law Dictionary* (Thomson Reuters 2014), 995

for his/her wrong, in order to deter the people from doing wrong to others.³ Justice is not merely about punishing wrongdoing. It is about ensuring that every person regardless of status or circumstance is treated with fairness. It is about creating systems that work, not just for the powerful, but for the vulnerable. It is about redress, about restoring dignity, and about upholding the rule of law.

But justice is not only a legal matter. It is also deeply ethical. It asks questions such as: Who deserves what? Who bears the burdens, and who receives the benefits? These are questions of morality, of equity, and of conscience. And while our laws may guide us, the ethics of justice demand that we look beyond statutes to the human impact of every decision we make. It need be stated that justice is not a destination, but a pursuit. It is a pursuit of fairness, accountability and hope.

I. Law and Justice Compared

The comparison of these two concepts brings an interwoven world. Every discussion of law is constituted in such a way that implies a discourse of justice. Although it could be argued that both are different discuss but there's always a mutual implication. While a law is made to regulate an affair or transaction, justice sees to it each party to that affair or transaction gets their fair deal. Where it turns sour however, that is, where one of the parties seem aggrieved, recourse is usually made to the fact, and interpreted to achieve a just (justice) delineation between the parties. This however is not always a one way affair. It is not uncommon to see instances where the strict application of law would lead to injustice. That notwithstanding positivist as against naturalist would seem to maintain that law is law whether just or unjust.

It needs to be stated therefore that one of the main interaction which law and justice should share is that every definition of law is channel towards a motion corresponding to justice. An important issue to note therefore is that the law should not be used to prevent justice, as this would run contrary to the main aim of which the law was made.

However, it is not uncommon for positivist to make the assertion that a law is the law, whether just or not, though the part of our individual moral judgement always wants the law to be just. As Radbruch had argued while describing the use of law by socialist regime in Germany to pervert justice, that for a legislation to have legal validity, it must be seen to be just has the main essence of law itself as justice.⁴

³Ese Malemi "The Nigerian Legal Method (Princeton & Associate Publishing) 2021(ed),pg 181.

⁴⁴ G. Radbruch, "Statutory Lawlessness and Supra- Statutory Law." (2006) 26 (1) *Oxford Journal of Legal Studies*; 5

The issue of law in an attempt to promote justice may lead to some significant question when applied to a concrete situation where real choice must be made for instance, is an unborn child a person in the context of a wrongful death action having in mind that the categorization may be evoked in the context of abortion, can we make use of the concept of equality or equity, in the just determination of issues related to gender.

These and many more issues are possibilities which the exposition of justice, may not be able to be resolved unequivocally. In fact, the aim of every law will be to attain justice. And what is just depends on the view of various Justices saddled with the responsibility of administering justice. In determine disputes brought before them (Justices), the Justices have a duty not to pervert law at the expense of justice, and must see to it that all parties obtain justice in the end. In fact, Oputa JSC held in the case of *Josiah v State* that justice is not one way traffic; not two, but three. That is, to the accused person, the victim of the crime as well as the society.⁵

II. Understanding Justice in Nigeria

In Nigeria, the concept of justice is a complex blend of constitutional principles, institutional process, and the lived realities of its people. To truly understand it, one must consider these three distinct but interconnected layers. First is constitutional justice, which provides foundational guarantees for every citizen. The 1999 Constitution, particularly Chapter IV, outlined fundamental rights such as due process, fair hearing, and personal liberty. It emphasized the right to a "fair hearing within a reasonable time,"⁶ a critical component for ensuring timely and equitable legal proceedings.

Next is statutory and institutional justice, which encompassed legal and institutional frameworks designed to enforce these constitutional rights. This includes the police, courts, correctional centres, and the Legal Aid Council.⁷ In fact, some of these frameworks are the Administration of Criminal Justice Act (ACJA) of 2015, and the Ekiti State Administration of Criminal Justice Law, No. 1 of 2014 with its amendment in 2022 which were enacted to modernize criminal procedures, protect the rights of suspects, and promote a faster, more effective justice system.

Finally, and most importantly, there is people-centred justice. This is the daily experience of ordinary Nigerians. It reflects how people encounter legal issues, where they seek help whether

⁵ (1985) 1NWLR (Pt.1) 125

⁶ Section 36 (1) of 1999 Constitution as Amended provides that in the determination of his civil rights and obligations, including any question or determination by or against any government or authority, a person shall be entitled to a fair hearing within a reasonable time by a court or other tribunal established by law and constituted in such manner as to secure its independence and impartiality; Sections 33-46 of 1999 Constitution as Amended.

⁷ O. G Izevbuwa, R. A. Ngwoke, and I.P. Mbano, "An Examination of the Statutory and Institutional Frameworks for Implementing Non-Custodial Measures in Nigeria's Criminal Justice Administration," (2023) *Nigerian Journal of Public Law*, Vol. 14 No. 1, pp. 1-22.

from family, community leaders, or formal institutions and whether the outcomes feel fair and lasting. The Hague Institute for Innovation of Law (HiiL) defines this type of justice as being accessible, affordable, and easy for everyone to understand.⁸ Taken together, this means justice in Nigeria must be both lawful (procedurally correct and impartial) and useful (accessible, affordable, durable in outcomes). If formal processes deliver correct decisions but people cannot access them, or if outcomes are temporary and problems resurface, the system has failed in practical terms. In Nigeria, justice is not merely an abstract legal concept confined to the four walls of a courtroom. It is a daily lived experience for our citizens.

The HiiL JNS data show precisely this tension: high incidence of legal problems, high levels of informal resolution, and frequent abandonment of cases when formal options look too costly, slow, or uncertain. A recent Hague Institute for Innovation of Law's Justice Needs & Satisfaction (JNS) longitudinal study report (2025) reveals a stark reality: 90% of Nigerians have faced at least one legal issue in the past four years. These issues range from land disputes, which constitute 24% of all unresolved legal cases, to domestic violence.⁹ For most Nigerians, justice is about resolving these everyday problems and achieving a sense of fairness and security in their lives, even if it is through the help of community or religious leaders.

III. Recent and Landmark Judicial Precedents on Justice for the Nigerian Citizenry

a. *Nnamdi Kanu v Federal Republic of Nigeria CA/ABJ/CR/625/2022*

In a case that has stirred national and international debate, the trial of Nnamdi Kanu following his extraordinary rendition from Kenya was allowed to proceed by the Court in December 2023, despite serious allegations of torture, illegal detention, and denial of fair hearing. Legal experts have criticized the ruling as a violation of Section 36 of the Nigerian Constitution and the African Charter on Human and Peoples' Rights, both of which guarantee the right to due process and protection from arbitrary state action. This case has since become a litmus test for Nigeria's commitment to the rule of law, raising urgent questions about state accountability, judicial independence, and the extent to which citizens' rights are respected under both domestic and international legal frameworks.¹⁰

b. *Labinjo v Nigerian Navy Suit No. NICN/LA/67/2023*

⁸ The Hague Institute for Innovation of Law (HiiL), *Justice Needs and Satisfaction in Nigeria: 2025 Report* (HiiL 2025) 3.

⁹ Ibid.

¹⁰ Daily Post, *Nnamdi Kanu Again: Lawyer Charges Nigeria Judiciary to Uphold Rule of Law* (13 September 2025) <<https://dailypost.ng/2025/09/13/nnamdi-kanu-again-lawyer-charges-nigeria-judiciary-to-uphold-rule-of-law/>> accessed 22 September 2025.

In a troubling instance of institutional defiance, the Nigerian Navy was found to have unlawfully classified Vice Admiral Labinjo as a deserter, despite his lawful retirement in 2017. The National Industrial Court, in a definitive judgment delivered in March 2025, affirmed his retirement status and ruled that the Navy's actions were without legal basis. However, in September 2025, the Navy issued an internal signal contradicting the court's decision, effectively disregarding the judicial pronouncement. This act of defiance prompted a strong response from the Nigerian Bar Association, which condemned the Navy's conduct as a direct threat to judicial authority and a dangerous precedent for democratic governance.¹¹

c. Emergency Rule in Rivers State (2025)

In a series of unfolding legal battles, the suspension of elected officials and the imposition of a sole administrator in Rivers State have sparked intense constitutional scrutiny. Over 40 suits have been filed challenging the legality of the President's emergency powers, citing key provisions of the 1999 Constitution specifically Sections 1(2), 5(2), 11, 176, 180, 188, and 305. At the heart of the legal debate is whether the executive can unilaterally dismantle democratic institutions without legislative endorsement or judicial oversight.¹² The Supreme Court although dismissed the case on jurisdictional ground, held that the President is empowered under the Constitution to declare state of emergency and that such power extends to suspension of elected officials provided it is approved by the National Assembly.¹³

d. Alh. Munir Ibrahim & Ors v. DSS Suit No. K/779/2023

In a stark example of institutional disregard for judicial authority, the Department of State Services (DSS) has continued to detain Alhaji Munir Ibrahim and four others despite two valid court orders mandating their release. This blatant defiance drew condemnation from the Nigerian Bar Association's Human Rights Institute, which described the DSS's actions as a "grave breach of the rule of law." The case underscores a troubling erosion of judicial power and reflects a deepening culture of impunity within law enforcement agencies—raising serious concerns about the protection of citizens' rights and the integrity of Nigeria's justice system.¹⁴

¹¹Guardian Nigeria, *NBA Holds Protest, Warns of Danger to Democracy Over Navy's Defiance of Court* (September 2025) <<https://guardian.ng/features/law/nba-holds-protest-warns-of-danger-to-democracy-over-navys-defiance-of-court/>> accessed 22 September 2025.

¹²Vanguard, *Why Courts Are Bound to Decide Legality of Emergency Rule — Falana* (September 2025) <<https://www.vanguardngr.com/2025/09/why-courts-are-bound-to-decide-legality-of-emergency-rule-falana/>> accessed 22 September 2025.

¹³A.G Adamawa State & Ors v. A.G Federation (2025) LPELR- 64215 (SC)

¹⁴Nigerian Bar Association Blog, *Grave Breach of the Rule of Law: Brazen Defiance of Two Court Orders in the Unlawful Detention of Alh. Munir Ibrahim and Four Others* (14 September 2025)

e. Simon Ekpa Conviction in Norway (2025) — Comparative Insight

In a striking international development, Simon Ekpa was convicted in Norway within just ten months for inciting violence in Nigeria through broadcasts originating from Finland, alongside charges of terrorism and tax fraud. His swift prosecution and sentencing stand in sharp contrast to Nigeria's sluggish judicial process, where similar cases—such as that of Nnamdi Kanu—remain unresolved after years of litigation and procedural delays. This disparity has reignited calls for reform within Nigeria's justice system, emphasizing the urgent need for judicial efficiency, evidence-based prosecution, and timely adjudication to uphold the rule of law and deliver justice to the citizenry.¹⁵

The cases of *Abacha & Ors v. Fawehinmi*,¹⁶ *Umeh v. Iwu*,¹⁷ *Falobi v. Falobi*,¹⁸ and *Bello v. Attorney-General of Oyo State*¹⁹ collectively underscore the judiciary's vital role in advancing justice for the Nigerian citizenry. In *Fawehinmi*, the court affirmed the relevance of international human rights instruments and adopted a liberal stance on *locus standi*, empowering citizens to challenge government actions. *Umeh v. Iwu* reinforced that access to court is a constitutional right, dismantling procedural barriers that hinder justice. Meanwhile, *Falobi* and *Bello* laid down foundational principles of fair procedure and due process, particularly in criminal matters, ensuring that no individual is punished or denied rights without full appellate review. Together, these precedents form a robust framework for protecting constitutional rights and promoting equitable access to justice.

Furthermore, decisions from the ECOWAS Community Court, such as *Sikiru Alade v. Federal Republic of Nigeria*,²⁰ have repeatedly condemned prolonged pre-trial detention and provided remedies for those unjustly held. These rulings offer a powerful judicial tool for advocacy and help shape domestic reform efforts to reduce the large number of awaiting-trial inmates. The Supreme Court's rulings in cases like *Darlington Eze v FRN*²¹ also reinforce the constitutional right to a fair hearing "within a reasonable time," underscoring the legal imperative for speedy trials.

<<https://blog.nigerianbar.org.ng/2025/09/14/grave-breach-of-the-rule-of-law-brazen-defiance-of-two-court-orders-in-the-unlawful-detention-of-alh-munir-ibrahim-and-four-others/>> accessed 22 September 2025.

¹⁵Leadership Nigeria, *Simon Ekpa: A Lesson in Justice Delivery* (September 2025) <<https://leadership.ng/simon-ekpa-a-lesson-in-justice-delivery/>> accessed 22 September 2025.

¹⁶ (2000) 6 NWLR (Pt. 660) 228

¹⁷ (2007) 6 NWLR (Pt. 1030) 416

¹⁸ (1976) 1 NMLR

¹⁹ (1986) 5 NWLR (Pt. 45) 828

²⁰ Suit No: ECW/CCJ/JUD/10/12

²¹ SC.303/2013

The judicial precedents discussed today vividly illustrate the persistent gap between Nigeria's constitutional ideals and the realities of institutional practice. From unlawful detentions and defiance of court orders to executive overreach and delayed adjudication, these cases reveal how systemic dysfunctions continue to obstruct justice for ordinary citizens. Yet, they also highlight the resilience of civil society, the legal community, and the judiciary itself in defending the rule of law against formidable odds. Each case serves not only as a mirror reflecting our current challenges but also as a call to action urging reforms in judicial independence, the enforcement of judgments, and the unwavering protection of citizens' rights. Together, they underscore the urgent need to restore public confidence in our justice system and ensure that justice is not just a constitutional promise, but a lived reality for all Nigerians.

3. Challenges to Justice

The pursuit of justice in Nigeria faces significant headwinds, creating a crisis of confidence that erodes the rule of law. A people-centred approach, informed by multiple reports and studies, reveals several systemic failures that obstruct the path to effective and equitable justice for the average Nigerian.

I. The High Cost of Justice

Article 7 of the African Charter on Human and Peoples' Rights²² affirms that every individual has the right to have their case heard, a principle echoed in Article 8 of the Universal Declaration of Human Rights,²³ which guarantees an effective remedy through competent national tribunals for violations of fundamental rights. Reflecting this commitment, the Supreme Court of Nigeria adopted the Latin maxim *ubi jus ibi remedium*, meaning "where there is a right, there is a remedy." Which means that if a person has a legal right and that right is violated, the law will provide a means to protect or enforce that right, this include providing compensation such as damages for the injury suffered.

However, one of the most profound barriers is finance. Reports from organizations like HiiL show that the cost of legal services is the leading reason people abandon their pursuit of formal

²² Every individual shall have the right to have his cause heard. This comprises: (a) the right to an appeal to competent national organs against acts of violating his fundamental rights as recognized and guaranteed by conventions, laws, regulations and customs in force; (b) the right to be presumed innocent until proved guilty by a competent court or tribunal; (c) the right to defense, including the right to be defended by counsel of his choice; (d) the right to be tried within a reasonable time by an impartial court or tribunal. 2. No one may be condemned for an act or omission which did not constitute a legally punishable offence at the time it was committed. No penalty may be inflicted for an offence for which no provision was made at the time it was committed. Punishment is personal and can be imposed only on the offender.

²³ Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

justice. For many, legal fees, court charges, and other associated expenses are simply too high. This is compounded by inadequate funding for magistrate and lower courts, making them to be slow and poorly equipped.²⁴ As a result, justice becomes an inaccessible luxury, disproportionately affecting the poor and marginalized. This issue is further exacerbated by the unequal distribution of legal services, which leaves many in rural or remote communities without meaningful access to legal help, often deterred by distance, cost, or a lack of awareness of their rights.²⁵

II. Chronic Delays and Case Backlogs

A second major obstacle is the systemic inefficiency that plagues the courts. The formal system is often too slow to provide relief.²⁶ Prolonged delays, frequent adjournments, and complex procedural practices such as protracted trial-within-trial processes, stay of proceedings, *etc*, have created a massive backlog of cases.²⁷ This inefficiency has a direct and severe consequence on liberty. Prison congestion and a high number of inmates awaiting trial remain urgent problems. The denial of timely justice and prolonged remand not only violate constitutional guarantees but also push many litigants to give up on their cases entirely.²⁸ While the Administration of Criminal Justice Act (ACJA) of 2015 was designed to alleviate this by modernizing procedures, its implementation is still a work in progress.

III. Eroding Public Trust

The combination of financial barriers and chronic delays has led to a profound crisis of public trust. A new report by the Africa Polling Institute (API) has found that 79 per cent of Nigerians have little or no trust in the country's judiciary, indicating a deepening public disillusionment

²⁴Nairametrics, *NBA Demands Increased Funding for Nigerian Magistrates, Court Workers for Effective Justice* (22 August 2024) <<https://nairametrics.com/2024/08/22/nba-demands-increased-funding-for-nigerian-magistrates-court-workers-for-effective-justice/>> accessed 22 September 2025.

²⁵Vanguard, *Issues with Access to Justice in Nigeria — Adegboruwa SAN* (January 2025) <https://www.vanguardngr.com/2025/01/issues-with-access-to-justice-in-nigeria-adegboruwa-san/#google_vignette> accessed 22 September 2025.

²⁶Guardian Nigeria, *90% of Nigerians Faced at Least One Legal Issue in Four Years — Report* (September 2025) <<https://guardian.ng/news/nigeria/national/90-of-nigerians-faced-at-least-one-legal-issue-in-four-years-report/>> accessed 22 September 2025.

²⁷HiiL, *Justice Needs and Satisfaction in Nigeria 2025: National Report* (The Hague Institute for Innovation of Law, 2025).

²⁸Guardian Nigeria, *Criminologist Urges Nigeria to Address 53,811 Inmates Awaiting Trial* (September 2025) <<https://guardian.ng/news/nigeria/national/criminologist-urges-nigeria-to-address-53811-inmates-awaiting-trial/>> accessed 22 September 2025.

with the nation's justice system.²⁹ According to the 2020 Nigerian Judicial System Perception Poll, 88% of Nigerians believed corruption was widespread in the judiciary, with 63% reporting negative experiences due to bribery, biased judgments, delays, and frequent adjournments. A 2023 report by the UNODC and NBS further revealed that judges were the highest recipients of bribes. Although the judiciary is central to democracy, its strength lies in public trust. As Honore Balzac warned, losing faith in the judiciary signals societal decline. Thus, the erosion of trust in Nigeria's judicial system has deep and lasting effects on the entire society.³⁰ This widespread distrust undermines the legitimacy of the formal system and pushes people toward alternative, informal pathways. People often resort to direct negotiation or seek the help of family, religious, or traditional leaders, as these options are perceived as faster, cheaper, and safer. However, these informal resolutions often only provide partial justice and may fail to address the root cause of the problem, leading to its recurrence.

IV. Underlying Institutional Weaknesses

These external problems are symptoms of deeper internal issues. Nigerian law enforcement, courts, and correctional services suffer from severe underfunding, shortage of personnel, and a lack of modern technology.³¹ Furthermore, police investigation practices have historically been a source of unreliability.³² Although the ACJA and landmark Supreme Court rulings like *F.R.N. v. Akaeze*³³ have mandated better practices, such as audio-visual recording of confessions, implementation remains inconsistent. These institutional and procedural gaps directly contribute to the delays and lack of public trust that plague Nigeria's justice system. This analysis highlights that the Nigerian justice system's failures are not isolated incidents but a network of interconnected problems.

4. Prospects on developments in Justice

²⁹Premium Times, *79 Per Cent of Nigerians Lack Trust in Judiciary — Report* (September 2025) <<https://www.premiumtimesng.com/news/top-news/805505-79-per-cent-of-nigerians-lack-trust-in-judiciary-report.html?tztc=1>> accessed 22 September 2025.

³⁰The Nation, *Public Trust and the Judiciary: A Call for Reform* (September 2025) <<https://thenationonline.ng/public-trust-and-the-judiciary-a-call-for-reform/>> accessed 22 September 2025; Independent Nigeria, *Nigeria's Justice System: How Administrative Delays, Inefficiencies, Neglect Disrupt Lives, Erode Public Confidence, Undermine Rule of Law* (September 2025) <<https://independent.ng/nigerias-justice-system-how-administrative-delays-inefficiencies-neglect-disrupt-lives-erode-public-confidence-undermine-rule-of-law/>> accessed 22 September 2025.

³¹Independent Nigeria, *Stakeholders Urge Tech, Media Accountability and Public Engagement to Rebuild Trust in Nigeria's Justice System* (September 2025) <<https://independent.ng/stakeholders-urge-tech-media-accountability-and-public-engagement-to-rebuild-trust-in-nigerias-justice-system/>> accessed 22 September 2025.

³²Lamboo T, *Police Misconduct: Accountability of Internal Investigations* (2010) 23(7) International Journal of Public Sector Management 613–631.

³³(2024) 12 NWLR (Pt. 1951) 1

Notwithstanding the daunting challenges facing Nigeria's justice system, there have been some recent and encouraging developments that offer a glimmer of hope. These efforts, spanning judicial leadership, legal reforms, and civil society initiatives, point toward a collective push for a more credible and effective system and they are:

I. Judicial Leadership and Sanctions

The current Chief Justice of Nigeria, Justice Kudirat Kekere-Ekun, has taken a firm stand against corruption within the judiciary. By sanctioning judicial officers based on public petitions, she has signaled a commitment to accountability and acknowledged the need to restore public trust.³⁴ This decisive action is a critical step toward rehabilitating the judiciary's damaged reputation and demonstrating that no one is above the law. Echoing this, Prince Lateef Fagbemi, SAN, who serves as Nigeria's Attorney-General and Minister of Justice, has emphasized the need for enhanced cooperation among key players in the country's justice system to effectively tackle ongoing issues and improve overall performance.³⁵

II. Collaborative Efforts on Reform

Beyond judicial leadership and legal rulings, various institutions and Civil Society Organizations (CSOs) are driving change. Professional bodies like the Nigerian Bar Association (NBA) have consistently called for increased funding and better remuneration for magistrates and court staff to improve the delivery of justice.³⁶ At the same time, CSOs are exploring alternative solutions. For example, groups have begun setting up restorative justice initiatives and reintegration shelters to reduce re-offending and help ex-detainees, offering a more holistic approach to justice beyond simple release from detention.

Despite these positive signs, significant challenges remain. Public trust in the judiciary is still critically low, and the persistent number of awaiting-trial inmates signals a continuing crisis. While official statements and legal rulings are important, their true impact depends on consistent and full implementation. The journey toward a more just system is ongoing, requiring sustained effort to translate policy into measurable action and rhetoric into reality.

³⁴Sahara Reporters, *Nigerian CJN Kekere-Ekun Decries Corruption, Bias in Judiciary, Demands Urgent Reforms* (11 February 2025) <<https://saharareporters.com/2025/02/11/nigerian-cjn-kekere-ekun-decries-corruption-bias-judiciary-demands-urgent-reforms>> accessed 22 September 2025.

³⁵The Sun, *Attorney General Fagbemi Calls for Unity in Justice Reform* (September 2025) <<https://thesun.ng/attorney-general-fagbemi-calls-for-unity-in-justice-reform/>> accessed 22 September 2025.

³⁶Nairametrics, *NBA Demands Increased Funding for Nigerian Magistrates, Court Workers for Effective Justice* (22 August 2024) <<https://nairametrics.com/2024/08/22/nba-demands-increased-funding-for-nigerian-magistrates-court-workers-for-effective-justice/>> accessed 22 September 2025.

5. Conclusion

It has been demonstrated that Justice is not merely a technical problem; it is civic, political, and moral. Evidence from the Justice Needs and Satisfaction (JNS) survey is sobering: most Nigerians will face a legal problem, yet many perceive the formal system as unaffordable, slow, or unfair, and so turn elsewhere. To reverse this trend, the law, courts, bar, and civil society must pursue three interlinked goals: Accessibility and affordability — expand legal aid, reduce litigation costs, and properly resource magistrates' courts; Timeliness and reliability — enforce ACJA safeguards, digitise case management, and set measurable time-to-trial targets and Trust and fairness — strengthen judicial discipline, ensure transparency, and deliver outcomes perceived as just. Achieving these requires political will, targeted funding, and persistent civil-society pressure. If realized, justice will serve the many, not only the wealthy and well-connected. Ultimately, the quest for justice is collective. It demands not only reform of laws and institutions but also a transformation in how Nigerians engage with the justice system. Together, we can build a society where justice is not a privilege but a lived reality for all.

It is therefore recommended that effective reform and advance justice in Nigeria, requires a comprehensive, multi-pronged approach is essential. The following steps, drawing on recommendations from sources like the HiiL Justice Needs & Satisfaction (JNS) report, are practical and can be implemented by the government, judiciary, legal profession, and civil society to create a more efficient and trusted system and they are:

It is recommended that the first priority is to fully enforce existing legal safeguards. This involves the nationwide implementation of the ACJA, including the use of arrest registers, strict time limits for pre-trial detention, and mandatory audio-visual recording for confessional statements. To support this, Nigeria must invest in the necessary recording equipment and ensure police and prosecution units are fully compliant.

To combat the issue of prison congestion, officials should create and implement remand-review and bail-reform programs. This means establishing mandatory, periodic reviews of inmates on remand and training magistrates to prioritize proportionate bail over automatic detention. The use of fast-track remand clinics and the expansion of non-custodial measures, supported by data and regional jurisprudence, can significantly reduce the number of awaiting-trial inmates.

Finally, justice delivery must be modernized through court case-management and digitization. Implementing electronic filing, case-tracking systems, and digital cause-lists will reduce unnecessary adjournments, improve efficiency, and bring transparency to the judicial process.

Systemic reform requires a significant investment in human and institutional capacity. There must be increased funding for magistrates' courts and their staff to alleviate the pressure on higher courts and ensure timely hearings. This includes providing realistic budgets for court registries and support staff.

To make legal services more accessible, it is crucial to scale up the Legal Aid Council and community legal education initiatives. Funding should be expanded to empower community paralegals who can provide early legal advice, assist with mediation, and help people navigate legal processes. This is a vital step to prevent the abandonment of legal problems due to financial barriers or a lack of faith in the system.

Simultaneously, law enforcement and prosecutors need continuous training on human-rights-compliant investigations and evidence law, as well as greater independence to reduce the number of weak or politically motivated cases that clog the courts.

The justice system must acknowledge the reality that many Nigerians first turn to informal channels for help. Instead of outlawing these systems, the government should recognize and formalize safe informal pathways. This means creating registries for community, traditional, or religious leaders and establishing rights-based codes and appeal channels to ensure that these pathways complement, rather than undermine, human rights.

Policy should also focus on providing sustainable solutions that address the root causes of legal problems. This includes reforming land records to resolve land disputes and providing social welfare solutions where poverty is the underlying issue. By addressing root causes, the system can reduce the recurrence of problems and provide lasting relief.

Accountability and public trust can be rebuilt through greater transparency. Authorities should establish continuous, people-centered justice data collection on metrics such as case backlogs, average time to trial, and citizen satisfaction. Publicly publishing this data and setting clear targets will increase accountability and drive policy focus. The judiciary must also strengthen its disciplinary mechanisms and improve the publication of decisions to directly address the trust deficits highlighted in national polls.

Quick-Impact Reforms Finally, there are several high-impact, low-cost reforms that can provide immediate relief. These include deploying mobile legal outreach and paralegal clinics to underserved areas and creating pro bono rosters for urgent matters like domestic violence and remand reviews. Investing in domestic violence response capacity including shelters, protective orders, and specialized police units—is a critical step to ensure victims receive swift, effective assistance and protection.

