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# Conflict of Interest in the Nigerian Judicial Administration and the Crisis of Sustainable Peace in Nigeria

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**Abstract**

This study examines the Nigerian judicial administration and the crisis of sustainable peace in Nigeria. The study, which was drawn from the 2025 Nigeria Social Cohesion Survey that established a national cohesion index of 46.8% and 79% public distrust in the judiciary, revealed that weak integrity mechanisms serve as structural factors that promote societal disintegration. The analysis is framed within the Sustainable Development Goal 16 and the theory of transitional justice and maps out the causal chain that connects constitutional vagueness, weak oversight, and weak disclosure systems with compromised judicial impartiality, public mistrust, and the use of extra-legal methods of conflict resolution. They disproportionately affect women and communities affected by conflict, further increasing their marginalisation and grievances. The Kenya's Ethics and Integrity Committee and South Africa's Office of the Chief Justice are two examples of institutions that can break these destabilizing cycles through professionalization. The study finds that specific thresholds for conflicts of interest should be codified, that a Judicial Ethics Compliance Office with electronic screening should be instituted, that gender-responsive reforms are needed, and that the "appearance of impropriety" standard should be set in the constitution. These measures would break the cycle in which the integrity of judges keeps threatening peacebuilding, rather than making accountable institutions engines for peaceful sustainable development in Africa's largest democracy.

**Keywords:** conflict of interest, judicial integrity, peace undermining, social cohesion erosion, Nigeria

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## Introduction

In Nigeria, the administration of justice is at a critical time, where failures of justice itself contribute to the instability of the society. The effects of judicial officers who manage conflicts with personal interests they may have, whether financial, social or political, are far reaching and tend to undermine public trust, legal processes and social cohesion in a systematic way. The paper looks at the role of the lack of proper conflict-of-interest management in Nigerian judicial administration as an active underminer of sustainable peace and inclusive development. The central argument is the weak integrity mechanisms is not simply a question of administrative inefficiency but represents structural causes of conflict, which perpetuate exclusion, exacerbate the perception of injustice in the system, and promote extra-legal means of redress in the country, which has already significant ethno-religious divisions.

This destructive dynamic is well illustrated in the empirical context. According to the 2025 Nigeria Social Cohesion Survey, citizens' trust in the judiciary is low, with 79% stating that they had very little or no trust in the judiciary, placing them below the critical 50% threshold (Oyibo, 2025; Africa Polling Institute, 2025). This lack of trust is not a consequence of scarcity, but a result of the actions of the judges themselves who rely on pecuniary and other pressures from politically connected litigants, preside over cases involving former professional associates or who refuse to recuse themselves from conflicts of interest when financial interests are not disclosed (Madubuike-Ekwe, 2023; Salihu & Gholami, 2018). These failures cause courts to become grievances factories in Nigeria's environment where electoral disputes are likely to escalate into violence and conflicts over resources tend to erupt in the Niger Delta and Northeast, requiring objective solutions.

The conceptual framework for this analysis is inspired by the Sustainable Development Goal 16 paradigm that foregrounds the interdependence between 'peaceful and inclusive societies' and 'effective, accountable and inclusive institutions' (African Alliance for People-Centred Justice, 2025; United Nations, 2015). In this context, judicial conflict of interest governance is seen as a conflict prevention infrastructure, which is a structural mechanism for either managing or aggravating societal conflicts (Adetiba & Raufu, 2025; Ojienda & Adude, 2021). However, good conflict of interest regimes can help courts to settle disputes before they get to the point of violence and bad regimes can make the judiciary an arena for elite capture, where influential parties use their ties to judges to have their issues resolved in their favour, while creating a sense of injustice and leading to extra-legal means of resolving conflicts (Alias, 2019; Cassella, 2018; Lugard, 2017).

The stakes are heightened by Nigeria's unique history. The transition from military rule to democracy in 1999 was an incomplete moment of transitional justice, as electoral institutions were established, the judiciary was structurally vulnerable due to its legacy of authoritarian governance, with its self-accountability mechanisms being weak, and transparency on judicial officers' private interests was low (Anushiem et al., 2018; Nweze, 2024). Conflict of interest management is still deferred institutional reform due to the persistent existence of these vulnerabilities in the inconsistent disciplinary record of judges, and the lack of proper disclosure system as reported by the National Judicial Council (NJC) (Igwenyi et al., 2024; Taiwo & Lateef, 2021).

The implications for inclusive development are also important. Studies show that women are less than 30% of superior court judges, suffer from structural exclusion in sharia court processes, and that communities in the Niger Delta and Northeast regions which are frequently involved in conflict have pressing environment and displacement issues that demand impartial adjudication by courts (Akinwotu, 2025; Okpaluba & Maloka, 2022). Failure in the governance of conflicts means these populations are effectively denied access to justice and deepen cycles of grievance and exclusion that hinder sustainable development (African Alliance for People Centred Justice, 2025).

Despite the high stakes, the literature on conflict-of-interest management in judicial administration in Nigeria is disjointed and major books on the issue focus excessively on the technical legal aspects without considering the dimension of peace and development that arises from the failure of conflict-of-interest management in judicial administration (Madubuike-Ekwe, 2023; Okorie, 2025). This paper tackles this gap by comprehensively analyzing Nigeria's conflict of interest governance from a holistic prism of peace studies, transitional justice and development theory. Second, empirical research into the consequences of particular regulatory gaps for society. Thirdly, critical evaluation of the Nigerian framework in relation to functional models in similar jurisdictions in Africa. Fourth, Gender and inclusion aspects of judicial fault.

This study aims to fill these gaps in a structured empirical analysis linking regulatory frameworks and social cohesion outcomes and to analyse comparative institutional models for their ability to deliver social cohesion.

## Conceptual Clarification

### Conflict of Interest

Conflict of interest occurs when a judge's private financial, personal, family or professional interests affect or may appear to affect the performance of his or her official duties. The Organisation for Economic Co-operation and Development (OECD) defines it as follows: "A situation in which a public official's duty to serve the public is in conflict with his or her private interests, where the private interest could compromise the public official's performance of official duties and responsibilities" (OECD 2015). The definition assumes special significance in the judicial field because of the special role of the judge in his decision making, which affects the citizens life, liberty and property. Nigeria's Code of Conduct for Judicial Officers adopts the same principle by outlawing financial dealings with the litigants, gift taking and participation in political activities (Madubuike-Ekwe, 2023). The Nigerian framework also covers conflicts that are not necessarily financial such as relational conflicts (family or social relations) and professional conflicts (parties with a previous legal practice relationship). It is clear from this definition that conflicts of interest do not only involve corruption, but also situations where there is a potential for corruption.

### Judicial Accountability

Judicial accountability is the mechanisms which make judges accountable for their conduct, actions and ethical behavior. From the judicial perspective, accountability can be categorized into decisional (quality and correctness of judicial decisions), behavioural (judicial ethics) and administrative (efficient case management), (Igwenyi et al., 2024). The National Judicial Council in Nigeria is the principal forum for holding judges to account and it listens to complaints, conducts hearings, and sanctions judges by suspending and dismissing them.

### Justice as Peace Infrastructure

Goal 16 of the 2030 Agenda for Sustainable Development (2015) is the normative reference for institutional reform, which specifies that peaceful and inclusive societies should be promoted through institutions at all levels that are "effective, accountable and inclusive. Institutional integrity and citizens' participation in fair and impartial dispute resolution processes are key to sustainable development, according to SDG 16.SDG 16 highlights that sustainable development is impossible without institutions with integrity and citizens who are able to participate in fair and impartial dispute resolution processes (African Alliance for People-Centred Justice, 2025). The African Alliance for People-Centred Justice (2025) emphasizes that “Justice is not just a service to be rendered, it is a structural condition that enables or impedes all other outcomes of development” (p. 8), thus situating judicial integrity at the centre, not as an administrative luxury. In this context conflict of interest management is one of the tools for realizing SDG 16's SDG 16.3: Rule of law and equal access to justice and SDG 16.6: Effective, accountable and transparent institutions. It operates in two ways; the first is the reduction of grievances that can be the source of conflict in society if the elites could capture the courts; the second is the development of public trust in judicial authority where citizens willingly abide by their decisions without resorting to extra-legal means of redress (Ojienda & Adude, 2021).

## Empirical Review

### Judicial Integrity and Conflict-of-Interest Governance in Africa

There has been a significant development of the judicial integrity discourse in Africa, inspired by the realisation that the judicial institutions in post-colonial states are confronted with unique challenges due to low levels of institutional capacity, political pressure and lack of ethical systems. Early contributions focussed on the formal independence of judges from executive control as the key to judicial integrity. Olawuyi (2022) contended that the constitutional rights for judicial independence are not enough to guarantee impartial adjudication, citing the issue of financial autonomy without accountability transparency. This follows earlier work from the "accountability paradox" literature, which suggests that protections for independence help to cover up misconduct (Lugard, 2017; Salihu & Gholami, 2018).

Less systematic treatment has been given to the issue of conflict of interest. Madubuike-Ekwe (2023) comprehensively examined the Code of Conduct for Judicial Officers in Nigeria in terms of its doctrine, identifying significant shortcomings of the code in its lack of specificity, without linking it to real-world problems like trust erosion. Okorie (2025) looked at disciplinary enforcement and found that the non-continuous application of sanctions does not do much to establish the deterrent effect, but analyzed conflict-of-interest governance as an organisational rather than a structural dimension of the peace dynamics. Anushiem et al. (2018), and Nweze (2024) have explored the gap in the democratic transition in institutional vulnerabilities which results in "deferred institutional reform. While these studies provide theoretical groundwork, they aren't systematic in addressing the impact of conflict-of-interest governance on judicial behavior in sensitive cases. The judicial integrity failures and their peace and security implications have been explored in the context of electoral dispute resolution. Albert (2001) and Lambe and Jamiu (2023) have outlined how judicial decisions in electoral petitions foster or fuel violent escalation, thus pointing to the direct security implication of judicial decisions in an electoral petition matter. They fail to deeply consider the impact of conflict-of-interest governance as it specifically affects these outcomes, however.

### Inclusive Development, Gender, and Access to Justice

The African Alliance for People-Centred Justice (2025) put judicial integrity on the "Fundamental Infrastructure for Inclusive Development" agenda. Akinwotu (2025) looked at the impact of judicial corruption on environmental justice to women in the Niger Delta. In an effort to reduce unconscious bias, Okpaluba and Maloka (2022) noted that gender-balanced panels are needed for gender-sensitive cases. The studies identify that conflict-of-interest governance is linked to gender equity, but have not developed a systematic link to conflict-of-interest analysis.

### Comparative Models of Judicial Ethics Governance.

Ojienda and Adude (2021) examined the Judiciary Service Commission of Kenya where the management of the Commission is proactive and there is a dedicated Ethics and Integrity Committee to oversee the Judicial Commission with stringent guidelines for disclosure and criminal prosecution of false disclosure. The Centralisation of Judicial Interests and Advisory Opinions in South Africa: The Case of the Office of the Chief Justice by Okpaluba and Maloka (2022) is an analysis of the Office of the Chief Justice, which was established in South Africa in 2010, to create a centralised register of judicial interests and advisory opinions. Their models show some of the promise of the institutional professionalization process and need to be adapted for local contexts. Although OECD (2015) guidelines offer international standards to determine an actual conflict of interest, they are poorly operationalised in Nigeria's Code of Conduct for Judicial Officers.

## Theoretical Framework

### Social Cohesion Theory: Trust, Legitimacy, and Stability

This mechanism between judicial integrity failures and societal instability is captured by social cohesion theory. Social cohesion is defined as "the willingness of members of a society to cooperate to survive and prosper" (OECD, 2012, p. 12) and can be measured in a number of ways: social relations, social connectedness, and a sense of a shared common good (Africa Polling Institute, 2025). Judges' legitimacy perception is the theoretical link between judicial conflict-of-interest management and social cohesion. As stated by Tyler (2006), institutional legitimacy refers to the trust in government that it is morally justifiable in its actions and it influences compliance better than force. The four elements of procedural justice are: neutrality (citizens are treated without prejudice); trustworthiness (citizens' welfare is shown concern); standing (citizens are treated with dignity and respect); and voice (citizens have an opportunity to present their views). Leave such matters to a judge who has a hidden conflict of interest breaks the principle of neutrality that is integral to the nature of the proceeding, creating a suspicion of bias, which in turn raises the likelihood of proceeding with court-related cynicism from individual cases to systemic cynicism (Madubuike-Ekwe, 2023; Okorie, 2025).

This interplay takes on added dimension in Nigeria's pluralistic setting where ethnic and religious identity collide with access to justice. Oyibo's (2025) study suggests that citizens of marginalised areas are more likely to blame judicial corruption on issues of ethnic favouritism and make it a collective grievance that can undermine intergroup relations. The mechanism works as follows: When a decision in a sensitive case (election dispute, resource dispute, gender dispute) is perceived to have been swayed by hidden conflicts, the losing party not only doubts the integrity of the one judge, but the entire system of the judge's identity group. This attribution is not specific to a particular case but extends to all judicial institutions, undermining public trust in them and limiting voluntary compliance by citizens, thereby raising the need for extralegal remedies, such as communal violence. Adetiba and Raufu (2025) empirically showed that, in post-colonial African states, "judicial legitimacy [is] positively associated with the strength of the conflict-of-interest regime and negatively with indicators of political violence" (p. 56). They found two causal pathways: firstly, good conflict management helps to avoid using the courts as instruments of elite capture, which limits grievances that can lead to societal conflict; secondly, courts can achieve the public trust needed for courts to be complied with voluntarily, reducing the need for extra-legal redress (Ojienda & Adude, 2021; Olawuyi, 2022).

## Methodology

The qualitative research design was used for the study, because it was focused on finding out the effect of conflict-of-interest governance in judicial administration in Nigeria on sustainable peace and inclusive development. The three main sources of data for the research include primary legal sources like the Constitution of the Federal Republic of Nigeria, 1999 (as amended), the Code of Conduct for Judicial Officers, the Code of Conduct Bureau and Tribunal Act, and the Judiciary Financial Autonomy Act, 2022; secondary scholarly data from literature on judicial ethics, transitional justice and social cohesion in Africa; lastly, empirical survey data from the 2025 Nigeria Social Cohesion Survey conducted by the Africa Polling Institute. Thematic analysis was used to analyze the data, with content analysis of the documentary sources used as an additional tool. Thematic Analysis is a method used for identifying, analyzing and reporting patterns in qualitative data. In this study it was used in the legal and regulatory arena for identifying specific gaps in conflict-of-interest governance and causal pathway tracing for identifying regulatory gaps and their links to social cohesion outcomes. The assessment of institutional innovations was done by reviewing the Ethics and Integrity Committee (EIC) in Kenya and the Office of the Chief Justice (OCJ) in South Africa. Limitations of the study are that it did not include interview information from judicial officers or litigants, and quantitative, statistical modeling of the relationship between conflict-of-interest governance and social cohesion indicators was not performed.

## Results / Findings

### Constitutional and Regulatory Framework Exhibits Critical Gaps in Conflict-of-Interest Precision

The study of the legal framework for judicial ethics in Nigeria shows that there are significant gaps in the framework compared to the needs of sustainable peace and inclusive development. The basis of judicial discipline under the Constitution of the Federal Republic of Nigeria, 1999 (as amended), is provided by Section 292 of the Constitution which gives the National Judicial

Council the power to recommend removal of judges for "inability to discharge the functions of office" or "misconduct or contravention of the Code of Conduct" (Third Schedule, Part I). But when conflict-of-interest standards are not explicitly mentioned in the Constitution, there is plenty of room for interpretation, which impedes the precision of regulation. The Code of Conduct for Judicial Officers bars money lending to litigants, receiving gifts and engaging in politics but it is not specific about what level of disclosure is required, when a judicial officer must recuse from cases involving previous professional relationships, and how conflicts of interest between appellate colleagues (Madubuike-Ekwe, 2023; Taiwo & Lateef, 2021) should be managed.

The Code of Conduct Bureau and Tribunal Act provides for additional oversight beyond that of judicial officials. But recent evaluations suggest that the Bureau has had difficulties in enforcing its regulations, filling out declaration forms without a systematic method to cross-reference with case filings for possible financial interests in litigation (Ahmad et al., 2022; Cassella, 2018). There are two NJC for professional misconduct and Code of Conduct Tribunal for statutory violations, leading to conflicts and confusion in terms of jurisdiction (Nweze, 2024). Both bodies have limited jurisdiction to deal with the entire range of conflict-of-interest situations, so there is fragmentation of enforcement.

It adds complexity with the constitutional duty for the financial autonomy of judges, strengthened by the Financial Autonomy Act 2022. Autonomy offers protection to judges against the manipulation by the executive branch of the budget, but at the same time it limits the external control of the judiciary over financial management (Olawuyi, 2022). Studies indicate that some judges in Nigeria have been able to generate wealth without any accompanying transparency measures, calling for the need to strengthen the conflict-of-interest bans by including asset declaration and lifestyle monitoring systems, which are underdeveloped in the country (Salihu & Gholami, 2018).

### Institutional Enforcement Mechanisms are Procedural and Systemic Inefficient.

The National Judicial Council's disciplinary processes are characterized by significant shortcomings in their implementation process, which seriously compromise the judiciary's role in promoting peace and inclusive development. The NJC recommended the removal of less than 20 judges between 2015 and 2024, and there was a general perception that there was a lack of proper implementation of this practice; this means that the overall practice of removing judges was not up to scratch as far as ethics were concerned (Igwenyi et al., 2024; Oyibo, 2025). The NJC's two-tiered disciplinary system (Complaints Committee and Judicial Discipline Committee) has no independent verification platforms and has no specific sanctions in place for failure to follow conflict of interest rules. This makes it necessary to rely on external bodies like the Economic and Financial Crimes Commission and the Independent Corrupt Practices Commission, the scope of whose functions overlaps poorly with judicial disciplinary functions (Cassella, 2018).

Another institutional weakness is the Nigerian courts' assignment system. However, the Nigerian courts, unlike other jurisdictions where the cases are allocated by computerised systems that filter for disclosed conflicts, typically allocate cases through manual processes by the administrative judges, which may provide opportunities for "forum shopping" by the litigants to secure a favourable judge, and may also provide opportunities for strategic case allocation by the administrators who have influence to the courts (Madubuike-Ekwe, 2023; Okorie, 2025). Lack of published protocols for assignments and the centralization of the authority to make assignments create conditions for hidden conflicts, especially in politically charged electoral issues.

Conflict disclosure institutional framework is still very basic. In contrast, the Code of Conduct calls for a yearly asset disclosure filing, but the disclosures are not consistently factored into the process for identifying indicators of conflict, nor are the disclosures cross-referenced against case filings to identify possible financial interest in a litigation (Ahmad et al., 2022; Cassella, 2018). The deficiencies were noted in the NJC's strategic plan for the period 2019 – 2024, which called for the adoption of electronic disclosure systems and inter-agency data sharing, but funding has been constrained and bureaucratic inertia delayed the implementation process (Taiwo & Lateef, 2021).

### Inadequate Governance has an unequal impact on women and conflict-affected communities.

The failure of judicial integrity creates distributional consequences, with a negative impact on marginalized populations. Women are underrepresented in superior courts, accounting for less than 30% of judges; they are also excluded from Sharia court processes because the procedures are not gender-neutral (Akinwotu, 2025; Okpaluba & Maloka, 2022). The failure of conflict-of-interest governance in fact denies access to justice to communities in conflict areas like the Niger Delta and the Northeast, where environmental and displacement issues must be resolved through impartial judicial processes (Akinwotu, 2025). Populations are most dependent on judicial institutions to seek redress against powerful actors, such as multinational corporations, government institutions or armed groups, but are most exposed to the potential for biased decision-making, due to undisclosed conflict.

### Comparative Models Show Routes to Institutional Professionalization

Comparative analysis shows that institutional professionalisation can break the destabilising dynamics that can be identified in Nigeria. The Judicial Service Commission has a dedicated Ethics and Integrity Committee which monitors judicial conduct proactively and not just reactively when complaints are made, and interests are required to be recorded in writing within 14-days of appointment and false declarations are punishable with criminal liability in Kenya (Ojienda & Adude, 2021). The Office of the Chief Justice, created in 2010, is used to look after ethical compliance and offers centralised administrative assistance to ethical compliance, which includes a centralised register of judicial interests and advices to judges on possible conflicts in complicated situations, to lessen the need for individual moral judgment in cases of ethical breaches (Okpaluba & Maloka, 2022). The models capture how an institutional capacity that is dedicated and proactive, monitoring and disclosure systems that are transparent, can be used to improve conflict governance and public trust, which are missing in Nigeria's NJC-based approach.

### The public trust is eroding, in crisis proportions, consequences that impact on social cohesion.

The Nigeria Social Cohesion Survey of 2025 reveals that citizens do not have a high level of trust in the judiciary, as only 79% trust it, giving the country a social cohesion index of 46.8%, which is lower than the critical threshold of 50% for societal stability (Africa Polling Institute, 2025; Oyibo, 2025). Citizens of marginalised areas are more likely than others to perceive the judiciary as corrupt with a strong sense of ethnic bias, which can spill over to form group-based grievances that affect intergroup relations (Oyibo, 2025). This general distrust of the courts fosters an attitude of distrust toward the judicial process and makes it more likely that people will seek nonjudicial methods of redress, such as communal violence or self-help.

## Discussion

### Understanding Regulatory Gaps through the Integrated Theoretical Framework

The results show that the conflict-of-interest governance in Nigeria is a structural instrument of division in the society and that the existing governance structures are weak, the laws are inadequate, and the distributive factors are uneven, thus affecting the peacebuilding role of the judiciary. SDG 16 places these findings in a normative context, where judicial integrity is not only an administrative luxury but also a key infrastructure for sustainable development. Nigeria's national social cohesion index of 46.8% which is below the threshold for stable society, directly reflects the lack of "effective, accountable and inclusive" institutions which the SDG 16 calls for. (United Nations, 2015, p 14) The discovery that the constitution does not provide any rule on conflict-of-interest standards allows for an expansive interpretation of such rule as demonstrated by Adetiba and Raufu (2025), who found that "vague ethical standards in judicial codes correlate with indices of electoral violence and lower rates of public trust in dispute resolution institutions" (p. 58). The correlation is not merely coincidental but causal because haphazard standards lead to random application, that leads to perceptions of arbitrariness, and that leads to a decline in Tyler's (2006) perceptions of procedural justice, which is the basis of institutional legitimacy.

These gaps in regulation can be attributed to the Transitional justice theory, which gives an explanation for why such gaps exist even when their consequences are known. The transition from military rule in Nigeria in 1999 was not structurally complete because electoral institutions were set up, but the judicial institutions had accountability vulnerabilities from the military era, such as weak self-monitoring capacity, and a culture of collegial protection rather than public accountability (Anushiem et al., 2018; Nweze, 2024). The NJC's proposal of less than 20 removals in the five-year span from 2015 to 2024, despite the general impression of moral lapses, is not indicative of exceptional good conduct, but rather a continuation of an institutional culture of authoritarianism that is not subject to external oversight (Igwenyi et al., 2024). This discovery corroborates Nweze (2024) assertion that "Conflict of Interest Management is an 'institutional reform that is deferred' since it poses a threat to the interests of entrenched actors in the judicial institution. The suggestion is that technical legal changes are unlikely to be enough;

reform needs to be underpinned by continuing external pressure and an institutional culture shift through clear governance processes.

### Causal Pathways: Integrity Failures to Social Cohesion Erosion

Social cohesion theory helps explain how particular regulatory gaps lead to societal effects. This systemic distrust, highlighted by the 79% distrust metric in the survey data, operates directly through Tyler's (2006) legitimacy-perception pathway, the notion that when judicial officers preside over cases in which there is an undisclosed conflict, they violate the rule of neutrality that is a basic premise of procedural justice, thus creating a sense of bias that spreads from individual cases to general distrust. This generalization takes intergroup dimensions in Nigeria's pluralistic context. Oyibo's (2025) result – those citizens living in marginalised areas are more likely to believe that judicial corruption is based on ethnic favouritism – shows how individual moral failures escalate to group grievances that can undermine intergroup relations. A judicial ruling on sensitive issues (electoral dispute, resource dispute, gender-based claim) is seen by the losing side as having been influenced by a conflict that they did not know about, and this is interpreted as evidence that the ruling was the result of a broad bias against a party's identity group. Such an attribution has a tendency to spread to other instances, and to undermine the confidence in the judiciary and the reliance on it for redress, which results in lower rates of voluntary compliance.

This situation is compounded by the fact that manual case assignment systems allow for opportunities for “forum shopping” and strategic case distribution. The first step in adjudication is to ensure that the process is fair, which is a key aspect of social cohesion that is violated when litigants control the choice of the judge of their cases or the administration judges determine the sentiment of the adjudicator involved in their cases (Madubuike-Ekwe, 2023; Okorie, 2025). Losing parties in such situations are not just unhappy with the result, but feel the process is unfair, which takes away the basis of procedural justice for voluntary compliance. In the Nigerian context where election-related issues often result in violent escalations and resource disputes in the Niger Delta and Northeast are in need of fair and fair-played resolution, this procedural unfairness makes the court a grievance generator (Albert, 2001; Lambe & Jamiu, 2023).

### Distributional consequences and inclusive development

The result, that the failure of integrity in the judiciary disproportionately marginalises women and conflict-affected groups, illustrates the nexus between conflict-of-interest governance and inclusive development. Women, who make up less than 30% of superior court judges, and who are also systematically excluded from the processes of the Sharia courts, do not enjoy equitable access to justice due to lack of judicial impartiality (Akinwotu, 2025; Okpaluba & Maloka, 2022). Communities in the Niger Delta and Northeast are more exposed to the compromised impartiality in a situation of undisclosed conflict, because the conflict involves big companies and government, and their claims of environment and displacement need to be resolved. The findings appear to support the argument of the African Alliance for People-Centred Justice (2025) that "justice is not just a service to be provided, it is a condition of structure that enables or precludes all other development outcomes" (p. 8). Conflict-of-interest governance is a failing, in which marginalised groups are effectively denied access to the rule of law and equal access to justice as demanded by SDG Target 16.3, which can reinforce cycles of grievance and exclusion.

This distributional dimension is of special importance in the context of peacebuilding. Adetiba and Raufu (2025) show that greater conflict-of-interest regulations in post-colonial states in Africa are negatively associated with measures of political violence because they mitigate the potential for courts to be used for elite capture, and thus lessen grievances that can lead to societal conflict. On the other hand, if court is seen to be under the thumb of the powerful through undetected conflicts, the marginalised turn to extra-legal means of redress, such as communal violence, and armed resistance. The absence of a gender responsive mechanism, such as gender diverse panel composition for gender cases and unconscious bias training in Nigeria's conflict-of-interest governance is thus not only an equity issue, but a security one, as it continues to perpetuate the grievances that affect social cohesion.

### **Comparative Insights and Transferable Innovations.**

The comparative results of Kenya and South Africa show that a destabilizing trend in Nigeria can be broken by institutional professionalization. The Ethics and Integrity Committee in Kenya operates not just by receiving complaints but also through proactive monitoring, and has a requirement to declare interests, which must be in writing and must be done within 14 days of assuming office, with criminal prosecution in the event of a false declaration (Ojienda & Adude, 2021). This is because Nigeria's NJC has acknowledged that there is a gap in the enforcement of the conflict of interest which may allow for the persistence of such violation until it reaches the stage of causing public scandal, thereby reducing public confidence in the institutions (Alias, 2019; Salihu & Gholami, 2018). South Africa's Office of the Chief Justice offers administrative support services to facilitate ethical compliance, such as a centralised register of judicial interests, as well as guidance and advice to judges on likely conflicts in complex situations, which mitigates the need for individual moral judgements in such situations (Okpaluba & Maloka, 2022). This institutional innovation mitigates the problem Nigerian judges are facing which is lack of structured guidance on how to deal with conflict situation, resulting to risk of real and perceived impropriety.

The models are not directly transferable without adaptation to the institutional and political environment of Nigeria. The criminal sanctions against false declarations, for instance, in Kenya, are sufficient to necessitate capacity for prosecution, which Nigeria's under-resourced justice system may not be able to sustain. South Africa has a centralized registry which needs technological infrastructure and data protection systems that Nigeria is still establishing itself. However, the principle of institutional professionalization via the creation of dedicated ethics offices, proactive monitoring systems and public disclosure frameworks can be directly applied to improve conflict governance and public trust. The concept of electronic disclosure systems was explicitly mentioned in the strategic plan of the Nigerian Judicial Council (NJC) 2019-2024, but the system had not been put into practice because of funding constraints and bureaucratic inertia (Taiwo & Lateef, 2021).

## The Accountability Paradox and Financial Autonomy

Judicial financial autonomy under the Financial Autonomy Act 2022 has been found to decrease the extent of external oversight of financial management in the judiciary, which creates an “accountability paradox” as pointed out by Olawuyi (2022) and Lugard (2017). The purpose of financial independence was to shield the judiciary from the budgets of the Executive and to ensure external independence in order to ensure fair adjudication. At the same time, however, the lack of transparency has allowed for some judges to have accrued unexplainable wealth, raising the perception of judicial elitism and impunity, which has a direct impact on social cohesion, among other things (Oyibo, 2025; Salihu & Gholami, 2018). This paradox points to the fact that judicial independence from outside political pressure alone is not enough to ensure judicial integrity. Independent from outside improper influence yet accountable to public standards of transparency and ethical behavior is the balance needed to be in a position to have effective conflict-of-interest governance. The current Nigerian framework is too extreme a case of independence without accountability that foster opacity to allow misconduct and diminishes public trust.

## Conclusion

This study explored the negative impact of poor conflict of interest governance in the Nigerian judicial administration on sustainable peace and inclusive development. The results show that Nigeria's laws and institutions are structurally inadequate in several respects. Because the Constitution is silent on the specifics of the conflict-of-interest requirements, it creates interpretive flexibility that can create uncertainty regarding the regulations. There are no specific disclosure rules or time limits for the disclosure obligations nor any rules for dealing with conflicts on appeal in the Code of Conduct for Judicial Officers. Oversight is lacking and it is split between the National Judicial Council and the Code of Conduct Tribunal, which leave room for accountability gaps. Assigning cases is still manually managed, and there is little conflict disclosure infrastructure, with annual asset declarations that are neither systematically analysed nor matched with records of cases filed. These are not technical flaws but structural flaws in an unfinished democratic transition: they are gaps in accountability systems from the days of authoritarianism.

The causal mechanisms connecting these regulatory deficits and the erosion of social cohesion go through legitimacy perception. Judicial officers who preside over cases with undisclosed conflict do so in contravention of the neutrality principle of procedural justice, which translates to perceptions of bias, from the individual case to the broader system, to cynicism. In Nigeria's pluralistic setting, citizens in the marginalized areas overestimate the extent to which the problem of corruption in the judiciary is related to ethnic bias and see it not as an individual shortcoming, but as a collective grievance which undermines intergroup relations. The consequences facing women, who constitute less of the population of superior court judges and are excluded from Sharia court processes, and communities in conflict areas like the Niger Delta and Northeast, where judicial impartiality is suspect, are dire. Nigeria's Social Cohesion Survey of 2025 shows that the nation's judiciary has lost the public trust, with 79% perceiving it as untrustworthy, while the national cohesion index was 46.8%, which is below the critical line of 50% for a stable nation, and has had direct effects on the instability of the nation.

Institutions of ethics and integrity, like the Kenya's Ethics and Integrity Committee and South Africa's Office of the Chief Justice, can break such destabilising patterns by virtue of their institutional professionalisation. Kenya's approach of actively monitoring, compulsory disclosure and even criminalization of false declarations offers models that could be adopted to enhance the framework in Nigeria, while South Africa's model of a centralized register of judicial interests and advisory views for judges is also of relevance. Adapting to Nigeria's unique political economy, however, depends on the ability to overcome certain obstacles to reform, including ethno-religious fragmentation and resource competition, which do not exist in the same form in comparator jurisdictions. The evidence shows that Nigeria must move from the 'wait and see' approach to institutional reform to active infrastructure for sustainable peace, social cohesion and democratic consolidation in Africa's most populous democracy through codified conflict-of-interest thresholds, randomized case assignment with conflict screening, a dedicated Judicial Ethics Compliance Office, and constitutional amendment to embed the 'appearance of impropriety' standard.

## Policy implications

### Addressing Regulatory Vagueness with Specific Conflict-of-Interest Thresholds.

The NDC should thus establish precise amounts of money for financial interests, time limits for how far back into the past professional relationships take judges' recusal requirements, and pre-hearing disclosure certifications requiring judges to certify that there are no conflicts before proceeding. This directly tackles the regulatory ambiguity associated with high levels of electoral violence and low levels of faith in institutions for settling disputes. Further, the constitutional provisions for financial autonomy of the courts also ensure that judges are shielded from any manipulation by the executive, but have also introduced an accountability paradox, in that the opacity of the process allows unexplained wealth to accrue, and thresholds should be backed by provisions for monitoring the lifestyle of judges, ensuring they maintain a balance between independence and transparency.

### Proactive Compliance Systems to tackle Enforcement Failure.

NJC's two-tiered structure does not have independent verification systems and specific penalties for failure to comply, thus relying on external agencies with overlapping, but not always perfect, mandates. Court case assignment is mostly done manually by ad hoc judges with forum shopping and strategic case distribution opportunities, and the conflict disclosure infrastructure is still very basic, with asset declarations from judges not being analysed systematically, and cases not being correlated with the asset declarations. Policymakers, in turn, should create a new Judicial Ethics Compliance Office at the NJC to keep an electronic register of disclosed interests, perform automated conflict screening, and offer confidential advisory opinions. Manual case assignment should be replaced by algorithms that are random and designed to avoid conflicts, and a permanent NJC investigative unit and streamlined disciplinary process should be established to address the current problems in enforcement. It's important that the electronic asset declaration submissions involve independent verification by the Code of Conduct Bureau and are linked to case filings to operationalize the transparency mechanisms identified by the NJC's strategic plan for 2019-2024, but they were not implemented.

### Gender-Sensitive Implementation of Reforms

The analysis confirmed that failures of judicial integrity create distributional impacts disproportionately to the marginalised. These groups use judicial systems most frequently as a means of challenging strong actors, but they also are most susceptible to biased judges. Therefore, policymakers should implement training programs to all judicial officers on unconscious bias, introduce diversity on panels for gender-sensitive cases, and implement specially targeted outreach programs to ensure access to justice for women and conflict-affected communities. These would help to break down the institutional obstacles that perpetuate exclusion and grievance and make judicial reform more consistent with the development goals of inclusive development.

### Implementing the Comparative Institutional Innovations for professionalization.

Institutional professionalization was found to break the destabilizing dynamics uncovered by the study of the Judicial Service Commission in Kenya and the Office of the Chief Justice in South Africa. Kenya's committed Ethics and Integrity Committee do proactive monitoring with a requirement for disclosure and criminal sanctions for failings in the declarations, while the South

African's central registry of judicial interests and advisory opinions de-escalate the need for each individual to exercise moral judgment. Nigeria's existing framework is inadequate in terms of institutional capacity and judges have no clear guidance on how to resolve intricate situations of conflict. However, policy makers should be flexible in implementing these comparative models in Nigeria by creating a proactive monitoring mechanism, establishing a centralized interest register and institutionalizing advisory role to assist judicial officers in identifying and managing potential conflicts. The "appearance of impropriety" test, which is not currently entrenched in law, should be made by constitutional amendment and the existing framework should be enhanced to meet the normative test of the NJC's jurisdiction over violations of the statute.

### Creating Transparency and Public Engagement that Responds to Trust Erosion.

Members of ethnic minorities see corruption by judges not as a personal problem, but as a problem of the whole group, which undermines the stability of intergroup relations. This widespread mistrust diminishes the voluntary cooperation and enhances the need for extra-legal remedies. The answer from policy makers is to shift asset reporting to public, verifiable formats, rather than internal disciplinary bodies, thereby holding them accountable to citizens. Community-based judicial monitoring mechanisms, involving civil society organisations in the monitoring of the courts and the reporting of court integrity, should be used to complement court institutional reform. Ongoing, public discussion of judicial ethics via bar associations, religious institutions and media should help change cultural practices of giving gifts and the expectation of professional duty, making ethical behavior common public infrastructure for maintaining social bonds. Memoranda of understanding between the NJC, EFCC and ICPC should be formalized and include details of jurisdictional divisions and how the information will be shared so that there is no room for accountability gaps in enforcement.

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