

CONFLICTING JUDICIAL DECISION AND OPERATION OF ADMINISTRATIVE AGENCIES IN NIGERIA: A CASE STUDY OF INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC)

Omale Danjuma¹, Aliyu Abdullahi², **PhD** and Ochijenu Samuel Adegbe³

^{1,2,3} Department of Public Administration, Prince Abubakar Audu University, Anyigba

¹omaledanjuma839@gmail.com, ²aliyuabdullahi74@gmail.com, ³Samuel.ochijenu@gmail.com

Abstract

Conflicting judicial decisions remain a major challenge to the effective functioning of administrative agencies in Nigeria. This study examined how such inconsistencies affect the operations of the Independent National Electoral Commission (INEC). The objectives were to assess the effects of conflicting judicial decisions on INEC's operations, evaluate their implications on electoral credibility, and analyze how judicial conflicts influence public trust in democratic governance. Anchored on the Administrative Law Theory, the study adopted a quantitative research design. Data were collected from INEC staff across three purposively selected State Offices Kogi (North-Central), Lagos (South-West), and Enugu (South-East) to reflect Nigeria's geographical and political diversity. Findings revealed that conflicting judicial decisions have negatively impacted INEC's operations by creating administrative uncertainty, delaying electoral processes, and undermining its autonomy. Respondents indicated that these judicial inconsistencies weakened electoral credibility through contradictory rulings on party primaries, candidate eligibility, and election outcomes, often leading to voter apathy. Furthermore, judicial conflicts were found to erode public trust in democratic governance, as citizens perceived the judiciary as inconsistent and susceptible to political influence. The study recommends that judicial authorities adopt clearer interpretative standards and ensure consistency in rulings relating to electoral matters. Strengthening institutional collaboration between the judiciary and INEC, promoting judicial training on electoral law, and establishing an appellate fast-track mechanism for pre-election cases were also suggested. These measures would reduce contradictions, enhance INEC's operational effectiveness, restore electoral credibility, and rebuild public trust in Nigeria's democratic system.

Keywords: Judicial conflicts, administrative agencies, INEC, Electoral credibility, Democratic governance, Nigeria

1.1 Introduction

Globally, the relationship between the judiciary and administrative agencies has long generated scholarly debates, particularly on the issue of judicial intervention in administrative actions. Administrative agencies are established to implement policies, regulate sectors, and deliver public services efficiently, often exercising quasi-legislative and quasi-judicial powers (Shapiro & Wright, 2011). However, because their powers are derived from statutes and constitutional mandates, conflicts often arise when judicial decisions either uphold or overturn administrative actions. Such conflicts have sometimes resulted in inconsistencies, uncertainty, and inefficiencies in governance. The judiciary, as the guardian of the rule of law, plays a critical role in reviewing the decisions of administrative bodies

to ensure they conform to constitutional and statutory provisions (Michaels, 2017). While judicial oversight is essential to prevent abuse of power and safeguard citizens' rights, conflicting judicial decisions on similar issues tend to undermine the stability of administrative law and weaken public confidence in governance structures. For instance, studies in the United States and Europe show that when courts deliver contradictory rulings on the same administrative matter, it disrupts policy implementation and hampers administrative predictability (Sunstein, 2019).

This problem is more pronounced in emerging democracies where administrative agencies, particularly electoral management bodies, are expected to operate with neutrality and independence. In countries like Kenya, India, and South Africa, conflicting court judgments on electoral matters have at times hindered electoral commissions in discharging their statutory roles (Adeniran, 2020). Such inconsistencies compromise both the credibility of elections and the legitimacy of the agencies involved.

In Nigeria, the judiciary plays a pivotal role in shaping administrative governance by interpreting laws and adjudicating disputes arising from administrative actions. Since the return to democratic rule in 1999, courts have increasingly been called upon to resolve conflicts between individuals, political parties, and administrative agencies. This trend reflects the judiciary's constitutional mandate under Section 6 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), which vests judicial powers in the courts to uphold the rule of law. However, the frequency of conflicting judicial decisions has generated significant challenges for administrative efficiency (Okoye, 2017).

One sector where these conflicts are most pronounced is the electoral system. The Independent National Electoral Commission (INEC), constitutionally empowered under Section 153 of the Constitution and the Electoral Act 2022, is mandated to organize, supervise, and regulate elections in Nigeria. Yet, INEC's operations are frequently disrupted by inconsistent judicial pronouncements on critical electoral issues such as party primaries, candidate nominations, and the validity of election results (Omotola, 2019). For instance, during the 2019 and 2023 general elections, courts of coordinate jurisdiction issued conflicting rulings on which candidates were the authentic flagbearers of certain political parties, leading to operational confusion and eroding public trust in both the judiciary and INEC (Ezeani & Nwogu, 2022).

Such judicial inconsistencies undermine the credibility of Nigeria's democratic process. Scholars argue that while judicial review is essential for checks and balances, the pattern of contradictory decisions in Nigeria often reflects judicial activism, political interference, or weak institutional cohesion (Aiyede, 2020). Consequently, administrative agencies like INEC find themselves caught between conflicting legal directives that hinder their ability to conduct elections effectively.

1.2 Statement of the Problem

Conflicting judicial decisions in Nigeria have become a major obstacle to effective governance, institutional efficiency, and the credibility of administrative agencies. The Independent National Electoral Commission (INEC), as the chief electoral management body, is most directly affected, as inconsistent court pronouncements undermine its constitutional responsibility of conducting free and fair elections (Omotola, 2019). Without judicial consistency, INEC faces operational paralysis, loss of public trust, and accusations of partisanship whenever it attempts to comply with contradictory rulings.

Recent political and judicial controversies illustrate the severity of this problem. A striking example is the case of former Senate President Ahmed Lawan, who never participated in the senatorial primaries of his party but was later declared the valid candidate by a court ruling, overturning INEC's initial position and raising serious questions about electoral justice and internal party democracy (Vanguard, 2022). Similarly, the controversy over Godswill Akpabio's candidacy in the 2023 elections reflected how conflicting judgments from different courts not only embarrassed INEC but also sowed confusion about candidate eligibility (Premium Times, 2023). The judiciary's inconsistency was further exposed in the 2023 Kano governorship election dispute, where conflicting rulings from the Election Petition Tribunal and the Court of Appeal created widespread political tension, with INEC trapped between executing contradictory court orders on who the rightful governor was (Daily Trust, 2023). In Rivers State, the protracted political crisis between the executive and legislative arms in 2023 also witnessed courts of coordinate jurisdiction delivering opposing rulings on the legitimacy of the State House of Assembly factions, throwing governance into disarray and raising doubts about judicial impartiality (ThisDay, 2023). Beyond electoral disputes, the conflicting rulings on former Kogi State Governor Yahaya Bello's case further highlight the problem of judicial incoherence. While a Federal High Court issued an order restraining security agencies from arresting him, another court empowered the Economic and Financial Crimes Commission (EFCC) to proceed with his arrest. These contradictory decisions created a legal deadlock that undermined public confidence in both the judiciary and anti-corruption institutions (Punch, 2024).

The central question, therefore, is: *what becomes of Nigeria's administrative and electoral governance amidst these conflicting judicial pronouncements?* Judicial review is indispensable for upholding fairness, but the prevalence of contradictory rulings creates uncertainty, erodes institutional independence, and weakens the credibility of INEC (Aiyede, 2020). Scholars argue that political actors exploit jurisdictional overlaps and engage in forum shopping to secure favorable rulings, thereby aggravating judicial inconsistency (Ezeani & Nwogu, 2022). Despite reforms such as the Electoral Act 2022, INEC continues to grapple with the dilemma of implementing judgments that contradict each other, often at the cost of its credibility and neutrality (Okoye, 2017). This persistent judicial incoherence not only destabilizes electoral governance but also undermines democratic consolidation in Nigeria.

Although several scholars have examined the judiciary's role in democracy, little attention has been given to the practical effects of conflicting judicial decisions on INEC's day-to-day operations, leaving a critical gap this study seeks to investigate conflicting judicial decision and operation of administrative agencies in Nigeria: A case study of Independent National Electoral Commission (INEC).

1.3 Objectives of the Study

The broad objective of this study is to examine conflicting judicial decision and operation of administrative agencies in Nigeria: A case study of Independent National Electoral Commission (INEC). The specific objectives are:

2. To examine the effects of conflicting judicial decisions on INEC's operations.
3. To assess the implications of judicial inconsistencies on electoral credibility in Nigeria.
4. To evaluate how judicial conflicts influence public trust in democratic governance.

2.0 Conceptual Framework

2.1 Concept of Judicial Decisions

Judicial decisions, also known as case law or precedents, refer to the pronouncements of courts in the resolution of disputes brought before them. They constitute a major source of law in common law jurisdictions like Nigeria, where judicial pronouncements not only interpret statutes but also establish binding principles that guide future cases (Ezejiofor, 2019). A judicial decision is essentially the application of legal rules to particular facts by a competent court, producing a legally enforceable outcome (Nwabueze, 2018). According to Dias (1985), judicial decisions are "statements of law made by judges in the course of resolving disputes," which become authoritative and binding on similar cases in line with the doctrine of *stare decisis*. This doctrine requires lower courts to follow the decisions of higher courts, thereby ensuring consistency, stability, and predictability in the legal system (Allen, 2017). In Nigeria, this principle is entrenched in the hierarchy of courts, where decisions of the Supreme Court bind all other courts, while those of the Court of Appeal bind lower courts subject to exceptions (Okany, 2016).

Judicial decisions serve multiple purposes in governance. First, they act as instruments for upholding the rule of law by ensuring that administrative and legislative actions conform to constitutional and statutory provisions (Michaels, 2017). Second, they fill gaps in legislation by providing interpretations where statutory provisions are ambiguous or silent (Shapiro & Wright, 2011). Third, they function as checks and balances on administrative agencies, ensuring that such agencies do not exceed their statutory powers or abuse discretion (Okoye, 2017).

However, judicial decisions are not without challenges. Inconsistent or conflicting rulings, particularly by courts of coordinate jurisdiction, undermine the principle of certainty in law and can erode public confidence in the judicial system (Aiyede, 2020). Such inconsistencies are especially problematic in Nigeria's electoral jurisprudence, where contradictory court pronouncements have created operational difficulties for INEC and threatened democratic consolidation (Ezeani & Nwogu, 2022).

2.2 Conflicting Judicial Decisions

Conflicting judicial decisions arise when courts of coordinate jurisdiction, or sometimes even higher courts, deliver inconsistent rulings on similar legal issues or facts. Such contradictions create uncertainty in the legal system, undermine the predictability of law, and may impair the effective operation of administrative agencies such as the Independent National Electoral Commission (INEC). According to Nwabueze (2019), conflicting judgments are particularly problematic in jurisdictions like Nigeria, where multiple divisions of the same court exist across different states, thereby increasing the likelihood of divergent rulings on identical matters. In Nigeria, the Constitution provides that the decisions of higher courts, especially the Supreme Court, are binding on all lower courts (Constitution of the Federal Republic of Nigeria, 1999, Section 287). However, despite this constitutional directive, instances of conflicting judgments persist. A notable example is the series of decisions emanating from different divisions of the Court of Appeal on electoral matters, where one panel upholds a candidate's nomination while another nullifies it on similar grounds (Okeke, 2021). Such situations do not only cause legal uncertainty but also fuel political instability.

Scholars argue that conflicting judicial decisions may stem from several factors, including judicial activism, political influence, and differences in judicial interpretation of statutes (Ojo, 2020). In the electoral context, these inconsistencies often leave INEC in a precarious position—uncertain about which ruling to obey and at risk of being accused of partisanship depending on the decision enforced (Agbaje & Olaniyan, 2022). This was seen in cases surrounding party primaries and pre-election disputes, where courts of coordinate jurisdiction issued contradictory injunctions regarding the same candidate.

The consequence of conflicting judicial decisions is a weakening of public confidence in the judiciary as the last hope of the common man (Akinsanya, 2021). Where the courts themselves appear divided and inconsistent, the rule of law is undermined, and administrative agencies face operational paralysis.

2.3 The Role of the Judiciary in Administrative Law

The judiciary plays a fundamental role in administrative law by ensuring that administrative agencies act within the scope of their constitutional and statutory powers. Administrative law essentially regulates the actions, procedures, and decisions of public authorities, and the judiciary serves as the watchdog

against abuse of discretion, arbitrariness, and ultra vires actions (Okeke, 2020). In Nigeria, the judiciary's intervention in administrative matters strengthens the rule of law, protects individual rights, and ensures accountability of public officials.

According to Nwabueze (2019), one of the judiciary's primary functions in administrative law is judicial review, which empowers the courts to examine the legality of administrative actions and decisions. Through judicial review, the courts may quash, set aside, or uphold decisions of administrative agencies. For instance, in *Governor of Lagos State v. Ojukwu* (1986) 1 NWLR (Pt.18) 621, the Supreme Court emphasized the importance of adhering to due process and condemned the Lagos State Government for forcefully ejecting Chief Ojukwu without a court order. This decision reinforced the judiciary's role as a check against executive arbitrariness.

Another significant role of the judiciary is the interpretation of statutes creating and guiding administrative agencies. The judiciary ensures that agencies such as the Independent National Electoral Commission (INEC), the Federal Inland Revenue Service (FIRS), and others act strictly within the framework of the law. For example, in the case of *PDP v. INEC* (1999) 11 NWLR (Pt. 626) 200, the court clarified the extent of INEC's powers in relation to political party activities, thereby delineating the boundaries of administrative discretion. Furthermore, the judiciary safeguards fundamental rights against administrative encroachment. Under the 1999 Constitution (as amended), Sections 33–46 guarantee rights such as fair hearing and personal liberty. In *Fawehinmi v. Abacha* (2000) 6 NWLR (Pt. 660) 228, the Supreme Court struck down administrative decrees that sought to oust judicial review of human rights violations, thereby asserting the supremacy of the judiciary in protecting citizens. In practical terms, judicial intervention has been most visible in Nigeria's electoral process. For instance, in the case of *Atiku Abubakar & Anor v. INEC & Ors* (2019), the judiciary reviewed the administrative conduct of INEC in the 2019 presidential election, even though the final outcome upheld INEC's declaration. Similarly, in the 2023 Kano Governorship election dispute (*Abba Kabir Yusuf v. INEC*), conflicting judicial interpretations of administrative compliance by INEC highlighted both the importance and challenges of judicial oversight in electoral administration (Ojo, 2023). Through these roles judicial review, statutory interpretation, protection of rights, and resolution of electoral disputes—the judiciary ensures that administrative law in Nigeria operates within constitutional boundaries. However, recurring issues of conflicting judicial decisions and allegations of political interference remain obstacles that sometimes weaken the judiciary's credibility (Agbaje & Olaniyan, 2022).

2.4 Independence of INEC and Judicial Oversight

The independence of the Independent National Electoral Commission (INEC) constitutes one of the most critical pillars in safeguarding the credibility of Nigeria's electoral process and deepening democratic consolidation. Free, fair, and credible elections can only thrive where the electoral body is insulated from external interference, whether from political actors, the executive, or even from excessive

judicial interventions. The 1999 Constitution (as amended) clearly situates INEC as an autonomous institution, empowered under Section 153 of the Constitution of the Federal Republic of Nigeria (CFRN, 1999) to organize, undertake, and supervise elections into federal and state political offices. Beyond the textual provision of autonomy, the spirit of constitutional democracy demands that INEC functions with neutrality, integrity, and independence of action (Ojo, 2019). However, the reality of Nigeria's electoral system demonstrates that independence, though constitutionally guaranteed, is not absolute. INEC is required to operate within the boundaries of electoral law, and like every public institution, its actions remain subject to judicial review. This is where the concept of judicial oversight becomes significant. The judiciary interprets electoral provisions, adjudicates on disputes arising from pre-election and post-election matters, and reviews the legality of decisions taken by INEC. In principle, such oversight is indispensable for ensuring that INEC does not exceed its mandate or act contrary to the provisions of the law (Okoye, 2020). It reflects the doctrine of checks and balances within a democratic setting. Yet, the relationship between judicial oversight and institutional independence has remained problematic in Nigeria's democratic experience.

Practical developments in recent electoral cycles have highlighted the persistent tension between INEC's independence and judicial intervention. A prominent example is the 2023 Kano State Governorship election dispute, where the Court of Appeal overturned INEC's declaration of Abba Kabir Yusuf as the duly elected governor. This ruling created immense public confusion and tension, especially as it contradicted earlier positions of INEC and polarized political actors. It was only after the intervention of the Supreme Court, which reinstated Yusuf, that some level of certainty was restored. The incident underlined how conflicting judicial decisions can shake citizens' confidence in electoral outcomes and undermine INEC's authority as the primary electoral umpire.

Another significant case was the Akwa Ibom North-West Senatorial District dispute in 2022 involving Godswill Akpabio. INEC initially resisted his candidacy following disputes surrounding the party's nomination process. However, subsequent judicial pronouncements overruled INEC's position, paving the way for his participation in the elections. This case again revealed the extent to which judicial authority can reshape electoral processes and outcomes, thereby raising questions about whether INEC's independence can truly stand firm in the face of contradictory court rulings. Furthermore, judicial contradictions are not limited strictly to electoral disputes but have broader implications for governance and institutional credibility. For instance, the case involving former Kogi State Governor Yahaya Bello highlighted the inconsistency of judicial oversight in Nigeria. In that case, one High Court granted an injunction restraining security agencies from arresting the former governor, while another court simultaneously empowered the Economic and Financial Crimes Commission (EFCC) to proceed with his prosecution. Although not an electoral matter per se, the scenario reflects the dangers of conflicting judicial pronouncements and their capacity to create uncertainty for agencies of government. If such inconsistencies can affect other arms of governance, it is not far-fetched to expect similar judicial

contradictions to have destabilizing effects on INEC's ability to exercise its mandate without encumbrance.

The situation in Rivers State in 2023 equally illustrated the judiciary's expansive role in balancing institutional powers. The intense political conflict between the state governor and the House of Assembly brought the judiciary into play as an arbiter of last resort. While judicial intervention was necessary to restore order, the frequency with which the courts are drawn into disputes concerning the exercise of constitutional powers has broader implications for electoral institutions like INEC, which may find their operational independence routinely questioned or curtailed by judicial fiat.

Thus, while judicial oversight serves the noble purpose of checking INEC's excesses and upholding constitutional provisions, the frequency, inconsistency, and sometimes outright contradictions in judicial pronouncements tend to undermine the autonomy and credibility of the Commission. Citizens who observe judicial reversals of INEC's decisions may interpret such developments as evidence of institutional weakness, political interference, or manipulation of the justice system. This perception in itself is damaging to the legitimacy of both INEC and the judiciary.

Ultimately, the challenge lies in striking a balance between independence and accountability. Judicial oversight should strengthen, rather than erode, INEC's institutional autonomy. What is required is a more coherent, consistent, and principled judicial interpretation of electoral laws that respects INEC's constitutional role while ensuring that the Commission operates within the ambit of legality. As Adejumo (2023) rightly notes, "judicial activism that translates into conflicting decisions does not only weaken institutional autonomy but also corrodes the trust of citizens in democratic governance."

For Nigeria to consolidate democracy and strengthen its electoral process, there must be deliberate efforts to recalibrate the relationship between INEC and the judiciary. While INEC must continue to act within the confines of the law, the judiciary must also embrace the responsibility of offering clear, predictable, and consistent judgments that do not plunge the political system into avoidable crises. Only through such a balance can Nigeria's electoral governance system achieve credibility, stability, and public trust.

Empirical Studies

Ibrahim and Okon (2021) carried out a study on Judicial Pronouncements and Electoral Administration in Nigeria. The study adopted a survey method involving 320 INEC staff and 50 legal practitioners across Abuja, Lagos, and Enugu. The aim was to examine how judicial inconsistency affects INEC's decision-making processes. Findings revealed that 68% of INEC staff believed conflicting judgments undermined public confidence in INEC's neutrality, while 74% of legal practitioners maintained that delays in judicial resolutions created administrative bottlenecks. A notable example cited was the Rivers

State 2019 elections, where conflicting rulings on party eligibility hampered INEC's preparedness. The study recommended reforms to the Electoral Act, particularly to restrict judicial interference to post-election disputes, leaving pre-election matters to be conclusively addressed through INEC's internal mechanisms.

Adeyemi and Musa (2020) examined the Impact of Conflicting Judicial Decisions on the Credibility of Electoral Bodies in Nigeria. Using a mixed-method approach, data were gathered from 250 INEC officials and 60 election observers across Kano, Rivers, and Anambra States. The results indicated that 71% of respondents agreed that inconsistent court judgments often destabilized INEC's operational planning, while 66% of observers argued that frequent judicial contradictions weakened citizens' trust in electoral outcomes. The study highlighted the 2015 Kogi State governorship election, where litigation over a candidate's death midway through the election led to conflicting court orders that nearly stalled the process. The authors recommended clearer constitutional provisions to guide judicial interventions and reduce operational uncertainty for INEC.

Nwosu (2019) conducted a study titled Judiciary and the Management of Electoral Disputes in Nigeria: Challenges and Prospects. The research relied on secondary sources such as court rulings, legal texts, and electoral reports to analyze the effect of judicial pronouncements on electoral administration. The study found that overlapping jurisdiction of courts often created contradictions that placed INEC in difficult situations, thereby delaying the implementation of electoral timelines. A case in point was the Zamfara State elections of 2019, where the Supreme Court ruling invalidating all APC candidates days before the elections forced INEC into emergency adjustments. The study concluded that while judicial oversight is crucial to democracy, excessive and conflicting judicial interference tends to weaken electoral institutions. It recommended capacity-building for electoral judges and harmonization of laws governing electoral disputes. Okafor & Hassan (2020) carried out a study on Conflicting Court Judgments and the Effectiveness of Electoral Bodies in Nigeria. Using a mixed-method approach, they administered structured questionnaires to 280 INEC staff across Kano, Rivers, and the Federal Capital Territory, and conducted in-depth interviews with 20 senior lawyers. Their findings showed that 71% of INEC respondents agreed that contradictory court rulings slowed down the commission's electoral logistics, while 67% of legal experts emphasized that forum shopping by politicians encouraged judicial inconsistency. The case of Zamfara State 2019 elections was cited, where conflicting judicial orders on candidate nomination led to the exclusion of a major political party from the ballot. The study recommended strengthening judicial training on electoral jurisprudence and establishing a unified appellate panel for election-related matters.

Adebayo (2022) examined Judicial Interference and the Autonomy of Electoral Commissions in Nigeria. The study employed a descriptive survey design and drew data from 350 INEC staff and 45 civil society election observers in Lagos, Anambra, and Plateau States. Findings revealed that 63% of INEC

respondents reported difficulties in enforcing electoral timelines due to conflicting injunctions, while 70% of observers argued that judicial interference eroded citizens' trust in the credibility of elections. A notable instance was the Imo State governorship case (2020), where divergent judgments heightened tensions and raised questions about INEC's independence. The study recommended constitutional reforms to clearly define the boundaries of judicial involvement in electoral administration and called for stronger collaboration between INEC and civil society in monitoring compliance.

3.0 Theoretical Framework

3.1 Administrative Law Theory

The broad theoretical framework for this study is Administrative Law Theory, which rests on the principles of legality, accountability, and fairness in the exercise of public power (Dicey, 1959; Wade & Forsyth, 2014). The theory emphasizes that administrative agencies, though created to implement and enforce laws, must operate within the boundaries of legality as defined by constitutional provisions and judicial interpretation. It highlights the relationship between law, government action, and judicial oversight in ensuring that administrative discretion is not abused.

Central to the theory is the doctrine of judicial review, which underscores the judiciary's role in checking administrative agencies to prevent arbitrariness, uphold the rule of law, and protect citizens' rights. According to Dicey (1959), the rule of law requires that no public authority is above the law and that every exercise of administrative power must be justified within a legal framework. From this perspective, administrative agencies such as the Independent National Electoral Commission (INEC), though autonomous, remain subject to judicial scrutiny to ensure compliance with statutory and constitutional provisions.

The originality of Administrative Law Theory lies in its attempt to fuse efficiency in governance with the protection of individual rights. Administrative agencies are granted wide powers to regulate complex areas such as elections, taxation, and public health for effective governance, yet these powers are constrained by judicial oversight to prevent abuse, illegality, and bias. For example, Nigerian courts have repeatedly intervened in INEC decisions regarding candidate eligibility, election results, and internal party disputes, thereby striking a balance between agency autonomy and legal accountability (Ezeani, 2017; Ojo, 2020).

Despite its utility, Administrative Law Theory has attracted several critiques that are especially relevant in pluralistic societies like Nigeria:

State-centric bias: The theory assumes a relatively cohesive state capable of uniformly applying the rule of law. Critics argue that in societies marked by ethnic, religious, and political pluralism, this state-centric orientation can obscure the influence of informal power structures and political patronage on

administrative agencies (Okeke, 2021). In Nigeria, for example, electoral processes often reflect complex negotiations among regional, ethnic, and party interests that do not fit neatly within a purely legalistic framework.

Judicial overreach and inconsistency: While judicial review is designed to protect rights and curb administrative excess, excessive or inconsistent judicial intervention can itself generate uncertainty. Conflicting judgments from courts of coordinate jurisdiction—common in Nigeria’s electoral jurisprudence—illustrate how the very mechanism intended to ensure legality can paradoxically destabilize administrative governance (Aiyede, 2020).

Limited responsiveness to political realities: Administrative Law Theory often presumes that legality and procedural fairness are sufficient to guarantee good governance. Yet in transitional democracies, entrenched political interests and weak institutional capacity may impede the judiciary’s ability to deliver coherent, timely rulings, thereby undermining the theory’s ideal balance between autonomy and oversight. These critiques illuminate the practical tensions INEC faces. While the Nigerian Constitution (1999, as amended) grants INEC independence to conduct and regulate elections, courts frequently adjudicate disputes over candidate nominations, election results, and internal party affairs. Conflicting or delayed judicial decisions products of the very oversight envisioned by Administrative Law Theory create operational uncertainty, force costly by-elections, and strain INEC’s logistics and credibility. Thus, Administrative Law Theory provides a useful lens for analyzing how judicial review both safeguards and complicates INEC’s mandate. It explains the constitutional necessity of oversight while also exposing how the theory’s state-centric and legalistic assumptions clash with Nigeria’s plural political environment. Recognizing these limitations helps clarify why reforms such as clearer jurisdictional rules, specialized electoral courts, and mechanisms for harmonizing judgments are essential to strengthen INEC’s autonomy, efficiency, and public trust.

3.2 Institutional Theory

To complement Administrative Law Theory, this study also draws on Institutional Theory, which examines how formal rules, informal norms, and organizational cultures shape institutional behavior (Scott, 2014). Institutional Theory posits that organizations do not operate solely as neutral implementers of legal mandates; they adapt to pressures from their environment including political actors, public expectations, and other institutions often pursuing legitimacy alongside efficiency.

Applying Institutional Theory helps explain why INEC’s challenges are not only legal but also organizational and political:

Institutional Isomorphism: INEC and the judiciary face coercive pressures from constitutional mandates, normative expectations from civil society, and mimetic pressures to emulate global electoral

best practices. These forces can push both institutions toward similar practices such as procedural formalism even when such practices slow decision-making or create tensions.

Path Dependence and Legacy Constraints: Historical patterns of political interference and weak enforcement of electoral laws have created institutional routines within both INEC and the judiciary. These entrenched practices make rapid reform or consistent jurisprudence difficult, leading to recurring conflicts over jurisdiction and timelines.

Legitimacy-Seeking Behavior: Both INEC and the judiciary are motivated to maintain public legitimacy. Courts may issue far-reaching or expedited rulings to demonstrate independence, while INEC may overcompensate with strict interpretations of electoral guidelines to appear impartial. These legitimacy strategies can collide, producing contradictory judgments and administrative uncertainty.

Using Administrative Law Theory alongside Institutional Theory enriches the analysis of judicial–INEC tensions. Administrative Law Theory highlights the constitutional and legal imperatives of judicial oversight, while Institutional Theory reveals how political pressures, historical legacies, and the quest for legitimacy shape institutional behavior. Together, these perspectives show that conflicting judicial decisions are not merely technical legal problems but the outcome of deeper institutional dynamics.

This dual-theory approach underscores that strengthening Nigeria’s electoral governance requires more than doctrinal reforms; it also demands institutional realignment such as specialized electoral courts, clearer jurisdictional boundaries, and enhanced inter-institutional dialogue to harmonize the judiciary’s oversight role with INEC’s operational autonomy.

4.0 Methodology

This study adopted a qualitative research design, combining the doctrinal legal research method with a case study approach. The doctrinal method enables analysis of judicial pronouncements, statutes, and constitutional provisions relevant to INEC’s powers and functions, while the case study approach captures the practical implications of judicial contradictions on INEC operations. Primary data were collected from INEC staff across purposively selected State Offices (Kogi, Lagos, Enugu) through structured questionnaires and semi-structured interviews, while secondary data came from statutes, judicial decisions, and scholarly publications. Data were analyzed thematically and descriptively, with econometric modeling, in order to highlight recurring patterns and institutional implications.

The population of this study comprised INEC staff across three purposively selected State Offices that reflect Nigeria’s geographical and political diversity. The study adopted purposive sampling to select three INEC State Offices Kogi, Lagos, and Enugu based on their electoral significance, regional diversity, and history of judicial–INEC interactions. Kogi State, representing the North-Central zone, was chosen because of its high-profile electoral disputes and frequent litigation over governorship and

senatorial elections, making it a rich source of data on judicial–INEC dynamics in a multi-ethnic environment. Lagos State, representing the South-West, was selected as Nigeria’s commercial hub with the largest registered voter population, a complex administrative setting, and a long history of intense party competition and pre-election lawsuits, which collectively illustrate the operational impact of conflicting judicial pronouncements. Enugu State, representing the South-East, was included due to its repeated experiences with inter-party disputes and intra-party litigations that often involve conflicting court orders, providing a contrasting socio-political context to Kogi and Lagos. This three-state selection ensured regional representation and exposure to diverse electoral dynamics, thereby enhancing the analytic generalizability of the findings.

The study adhered to strict ethical standards throughout the research process. Written or verbal informed consent was obtained prior to administering questionnaires or conducting interviews. Confidentiality and anonymity were maintained by coding questionnaires and removing identifying information from interview transcripts. To preserve data integrity and minimize researcher bias, neutral language was used, leading questions were avoided, and responses were triangulated with secondary data such as court rulings and INEC records.

The population distribution across the three selected INEC State Offices is presented below:

Table 1: Population of the Study

SN	INEC State Office	Geopolitical Zone	Population of Staff
1	Kogi State	North-Central	1,842
2	Lagos State	South-West	2,276
3	Enugu State	South-East	1,382
Total			5,500

Source: INEC Staff Records, 2024

To determine the sample size for the study, the researcher employed the **Yamane (1967) formula** for finite population sample size determination:

$$N = \frac{N}{1 + N(e)^2}$$

n = Sample size

N = Population size (5,500)

e = Margin of error (0.05 at 95% confidence level)

Substituting into the formula:

$$N = \frac{5,500}{1 + 5,500(0.05)^2}$$

$$N = \frac{5,500}{1 + 5,500(0.0025)}$$

$$N = \frac{5,500}{1 + 13.75}$$

$$N = \frac{5,500}{14.75}$$

$$N = 374$$

Thus, a sample size of 374 respondents was determined for the study. The sample was proportionately allocated to each INEC State Office based on their population size to ensure representativeness.

Data collection was carried out using a structured questionnaire designed in line with the research objectives. The questionnaire consisted of close-ended questions based on a five-point Likert scale ranging from Strongly Agree (SA) to Strongly Disagree (SD). In addition, oral interviews were conducted with selected senior INEC officials to obtain more qualitative insights on how conflicting judicial decisions affect election administration, operational planning, and policy execution.

The data collected were presented in frequency tables and analysed using percentages, descriptive statistics, and chi-square tests with the aid of the Statistical Package for Social Sciences (SPSS, Version 26). This combination of quantitative and qualitative approaches enhanced the robustness of the findings and provided a sound basis for policy recommendations and conclusions.

Methodological Limitations

Despite the careful design, several limitations should be acknowledged:

Response Bias: Because the primary data were drawn from INEC staff, there is a risk of social desirability bias or institutional self-protection. Respondents might under-report operational shortcomings or overstate the impact of judicial interference to shield the Commission from criticism. To mitigate this, the study assured anonymity and emphasized that data would be used solely for academic purposes, but some bias may still remain. **Small and Uneven Qualitative Sample:** Although the total quantitative sample size (374) was statistically determined, the qualitative component semi-structured interviews with senior officials was relatively small and limited to purposively selected individuals. This may restrict the depth and diversity of perspectives, especially from lower-level staff who experience day-to-day operational challenges. The study partly addressed this by triangulating interview insights with questionnaire data and secondary sources.

5.0 Discussion of Findings

The findings of this study reveal that conflicting judicial decisions significantly affect the smooth operation of the Independent National Electoral Commission (INEC) in Nigeria. Respondents indicated

that inconsistent and contradictory court rulings create administrative bottlenecks, delay decision-making processes, and undermine the Commission's constitutional responsibilities. This situation often leads to confusion within INEC, as the Commission struggles to comply with multiple and sometimes opposing judicial pronouncements.

Furthermore, the study shows that such judicial conflicts contribute to *staggered elections*, disrupting Nigeria's electoral calendar. Instead of conducting elections in a unified and orderly manner, INEC is frequently compelled to organize by-elections and rerun elections due to court nullifications and conflicting interpretations of the law. For instance, the recent by-elections and rerun elections held in August 2025 are practical illustrations of how conflicting judicial interventions continue to destabilize Nigeria's electoral process. These developments not only stretch INEC's resources but also reduce public confidence in both the judiciary and the Commission.

The findings also suggest that electoral officers and staff of INEC bear the greatest administrative burden. They are compelled to adjust schedules, reallocate funds, and reorganize logistics whenever judicial conflicts arise. This persistent interference weakens institutional capacity, slows down policy implementation, and creates a cycle of electoral uncertainty.

In summary, the discussion highlights that conflicting judicial decisions undermine the credibility, efficiency, and independence of INEC. It further exposes the need for judicial harmonization, clearer constitutional interpretation, and reforms to ensure that courts act in ways that strengthen rather than weaken the electoral process in Nigeria.

6.0 Conclusion

This study has examined the impact of conflicting judicial decisions on the operations of the Independent National Electoral Commission (INEC) in Nigeria. The findings revealed that inconsistent and contradictory rulings from the courts significantly hamper INEC's constitutional mandate, creating administrative delays, logistical challenges, and undermining institutional credibility. More importantly, such judicial conflicts often lead to staggered elections, as seen in the recent by-elections and rerun elections of August 2025, which disrupt the electoral calendar and drain the Commission's limited resources. These realities highlight how conflicting judicial pronouncements not only weaken INEC's efficiency but also erode public trust in both the electoral process and the judiciary.

In light of these findings, it is evident that unless judicial harmonization and reforms are introduced, the electoral process in Nigeria will continue to face instability, administrative burden, and loss of credibility.

7.0 Recommendations

1. **Judicial Harmonization:** There is a pressing need for greater coordination within the judiciary to avoid conflicting rulings on electoral matters. This could be achieved through constitutional amendments that clearly define the jurisdiction of courts over electoral disputes.
2. **Strengthening Electoral Laws:** Nigeria's Electoral Act should be reviewed and strengthened to remove ambiguities that often give room for multiple interpretations and conflicting judgments.
3. **Special Electoral Courts:** The establishment of special electoral courts or tribunals with exclusive jurisdiction over election-related cases will help reduce judicial inconsistency and speed up adjudication.
4. **Capacity Building for INEC:** Adequate training and resource allocation should be provided to INEC staff to enable them to better manage the administrative disruptions caused by judicial interventions.
5. **Timely Resolution of Disputes:** Courts should be mandated to resolve electoral disputes within Disputes within 30 Days and that all pre-election cases be concluded no later than 30 days before Election Day, with constitutional backing to prevent adjournments that delay ballots or force reruns.

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