THE POWER OF PRECISION: A CRITICAL APPRAISAL OF CERTAINTY IN JUDICIAL DECISION-MAKING*

Abstract

This study critically examines the imperative of judicial precision within the Nigerian legal system, particularly in the context of political and labour adjudication. It argues that clarity in judicial reasoning is essential not only for doctrinal coherence but also for democratic legitimacy and public trust. Drawing on comparative insights from jurisdictions such as the United Kingdom, South Africa, Canada, and Germany, the article explores how structured reasoning, plain language, and institutional support contribute to effective adjudication. The analysis is grounded in case studies that illustrate the consequences of judicial ambiguity. In Adegoke Motors Ltd v Adesanya, the Supreme Court's assertion of finality without infallibility underscores the tension between authority and clarity. Electoral disputes such as Hope Uzodinma v Emeka Ihedioha and Atiku Abubakar v INEC & Ors reveal how opaque judgments can provoke public outrage and undermine democratic processes. The recent Akpabio v Natasha case further exemplifies the dangers of judicial vagueness in politically sensitive litigation. The tribunal's decision, which invalidated Natasha Akpoti-Uduaghan's senatorial victory based on alleged irregularities, was criticized for its lack of clarity in evidentiary analysis and legal reasoning. The judgment's ambiguity not only complicated appellate review but also fuelled partisan narratives, highlighting the judiciary's role in shaping political outcomes. In response to these challenges, the article proposes a series of reforms aimed at enhancing judicial precision in Nigeria. These include the introduction of judicial clerks, adoption of judgment templates, a more integration of legal writing into every training for judicial officers and development of a judicial communication strategy. The recommendations are informed by global best practices and tailored to Nigeria's institutional realities. Ultimately, the article contends that judicial precision is not a luxury but a constitutional necessity. In a system where judicial decisions carry finality, their clarity must be unimpeachable. Precision in adjudication strengthens the rule of law, promotes legal certainty, and affirms the judiciary's role as a guardian of democratic values.

Keywords: Precision, Certainty, Judicial Ambiguity, Constitutional Governance, Political Litigation.

1. Introduction

In every constitutional democracy, the judiciary stands as the final guardian of justice, entrusted with interpreting laws, resolving disputes, and upholding the rule of law.[1] Its judgments are expected to be clear, authoritative, and enforceable. Yet in Nigeria, a troubling pattern of judicial ambiguity has emerged, one that threatens legal certainty, undermines public confidence, and destabilizes political institutions. Recent political developments have cast the issue of judicial clarity and precision into sharp relief. The suspension of Senator Natasha Akpoti-Uduaghan from the Nigerian Senate, despite her claim that there is a subsisting court order in her favor, triggered a legal standoff. The Senate, led by the Senate President, His Excellency, Distinguished Senator Godswill Akpabio, claimed there was no court order directing the leadership of the Senate to recall or reinstate Senator Natasha from a subsisting suspension. Similarly, the Labour Party has been engulfed in a leadership crisis fueled by ambiguous and contradictory court orders. Rival factions have each claimed legitimacy based on conflicting judicial pronouncements, plunging the party into disarray and raising urgent questions about the judiciary's role in political stabilization.[2] These cases underscore a critical concern: when judgments are vague, open-ended, or internally inconsistent, they invite mischief, forum shopping, and institutional paralysis.

This article argues that precision in judicial decision-making is not merely a technical virtue; it is a democratic necessity. The clarity of legal language directly impacts the enforceability of judgments, the credibility of the judiciary, and the stability of democratic institutions. When courts fail to articulate their decisions with precision, they risk eroding the very authority they are meant to uphold. To explore this thesis, the article begins by establishing a conceptual framework for understanding judicial certainty and precision, drawing on jurisprudential theory and comparative legal thought. It then examines how definite court orders promote finality, procedural efficiency, and public trust in the legal system. The analysis proceeds to consider the consequences of judicial ambiguity, including misinterpretation, enforcement challenges, and erosion of institutional credibility. Particular attention is paid to the socio-legal implications of unclear judgments, especially in politically sensitive cases such as those involving Senator Akpoti-Uduaghan and the Labour Party.

A comparative analysis follows, highlighting how other common law jurisdictions, such as the United Kingdom, India, and South Africa, address judicial clarity and what lessons Nigeria might draw from their practices. The article then discusses the role of judicial training and legal drafting in enhancing precision, proposing reforms to judgment-writing protocols. Detailed case studies from Nigeria are presented to illustrate how judicial ambiguity has led to legal or political fallout. Finally, the article offers recommendations for reform, including institutional safeguards, peer review mechanisms, and clearer drafting standards, before concluding with a call for a cultural shift toward a more clarity and accountability in Nigeria's legal system.

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[1] Ese Malemi, Revised by Eni Eja Alobo, *The Nigerian Legal System:Text and Cases* (Rev ed-Princeton and Associates Publishing Co. Ltd 2021).

[2] *Leadership Newspaper*, 'Labour Party Crisis Deepens as Court Orders Clash' (3 August 2025) https://leadership.ng/labour-party-crisis-deepens-as-court-orders-clash Accessed August 15, 2025.

2. Conceptual Framework: Certainty and Precision in Law

Certainty and precision are foundational principles in any legal system that aspires to uphold the rule of law. They are not merely linguistic ideals but operational necessities that ensure laws are intelligible, predictable, and enforceable. In the Nigerian context where legal pluralism, political volatility, and institutional fragility converge, the demand for judicial clarity is not just theoretical, it is a key desideratum in the judiciary. Legal certainty refers to the idea that laws must be clear, publicized, and stable, allowing individuals to understand their rights and obligations and to plan their actions accordingly.[3] It is a principle deeply embedded in the rule of law, ensuring that legal outcomes are not arbitrary but grounded in consistent reasoning and precedent. Precision is the technical articulation of legal certainty; it is the clarity with which legal norms and judicial decisions are expressed. While certainty is the goal, precision is the tool by which that goal is achieved. The jurisprudential roots of these concepts are well established. Fuller, in his seminal work, argued that, a legal system must meet certain internal standards to be considered legitimate. Among these standards are clarity, consistency, and congruence between official action and declared rule.[4] Fuller's inner morality of law posits that when laws are vague or contradictory, they fail to guide behavior and lose their normative force. Similarly, Hart emphasized the importance of rules being intelligible and capable of guiding conduct.[5] In Hart's framework, the open texture of law allows for judicial discretion, but such discretion must be exercised within a framework of clarity and reasoned justification. In practice, however, the Nigerian judiciary often struggles to meet these ideals. Judgments are sometimes drafted in convoluted language, laden with procedural jargon, or delivered in fragmented formats that obscure their operative parts.[6] This lack of precision not only frustrates litigants and lawyers but also complicates enforcement by lower courts and administrative bodies. In politically sensitive cases, such ambiguity can be exploited to delay compliance, reinterpret outcomes, or sow confusion among stakeholders.

The Nigerian Constitution implicitly endorses the principle of legal certainty. Section 6 vests judicial powers in the courts, while Section 36 guarantees fair hearing and due process.[7] These provisions presuppose that judicial decisions will be clear, reasoned, and enforceable. Yet, constitutional guarantees alone are insufficient without a culture of precision in judicial drafting. The Supreme Court, as the apex court, bears a special responsibility in this regard. Its pronouncements set binding precedent, and any ambiguity in its decisions reverberates throughout the legal system. Moreover, the adversarial nature of Nigerian litigation places a premium on clarity. Unlike inquisitorial systems where judges actively investigate facts, Nigerian judges rely on the arguments and evidence presented by parties. Their role is to interpret and apply the law with precision, ensuring that their rulings are not only legally sound but also communicable to non-specialists. When judgments are unclear, they invite appeals, misinterpretation, and in some cases, outright defiance.[8] The importance of precision is further amplified in the context of electoral and political litigation. In such cases, the stakes are high, timelines are compressed, and public scrutiny is intense.[9] A single ambiguous phrase in a judgment can alter the course of an election, destabilize a legislature, or delegitimize a political actor. The cases involving Senator Godswill Akpabio and Senator Natasha Akpoti-Uduaghan exemplify this dynamic. The courts' failure to issue unequivocal orders created room for political maneuvering and institutional gridlock, undermining the authority of the judiciary itself.[10]

In sum, judicial certainty and precision are not abstract ideals but operational imperatives. They ensure that the law remains a reliable guide for conduct, a credible tool for dispute resolution, and a stabilizing force in democratic governance. As this article will continue to argue, enhancing precision in judicial decision-making is essential for restoring public trust, improving legal compliance, and safeguarding Nigeria's constitutional order.

3. The Role of Definite Orders in Promoting Finality

Finality in judicial decision-making is a principle that underpins the entire architecture of legal adjudication. It ensures that once a matter has been conclusively resolved by a competent court, the parties involved can move forward with certainty, and the legal system can maintain its integrity and efficiency. Definite judicial orders, those that are clear, unambiguous, and enforceable, are essential to achieving this finality. In Nigeria, however, the absence of such clarity in many judgments has led to prolonged litigation, conflicting interpretations, and institutional paralysis. A definite order is one that leaves no room for speculation or subjective reinterpretation. It clearly identifies the rights and obligations of the parties, specifies the actions to be taken, and sets out the consequences of non-compliance. Such orders are vital not only for the litigants but also for lower courts, enforcement agencies, and the public. They provide closure, reduce the risk of appeals based on ambiguity, and reinforce the authority of the judiciary. The Nigerian legal system, rooted in common law tradition, places significant emphasis on precedent and procedural regularity.[11] When judgments are vague or internally inconsistent, they disrupt this structure. For instance, a court may declare that a party is entitled to relief but fail to specify the nature or extent of that relief. This leaves enforcement bodies in a quandary and opens the door to competing interpretations. In politically sensitive cases, such ambiguity

[3] Paul Craig, 'Formal and Substantive Conceptions of the Rule of Law: An Analytical Framework' (1997) *Public Law* 467, 467–487.
[4] Lon L Fuller, *The Morality of Law* (Yale University Press 1964) 63–91.
[5] HLA Hart, *The Concept of Law* (Oxford University Press 1961) 124–147.
[6] Chinua Asuzu, *The Uncommon Law of Learned Writing* (Partridge-China 2015) 2.
[7] Constitution of the Federal Republic of Nigeria 1999 (as amended), ss 6 and 36.
[8] Richard A. Posner, *How Judges Think* (Harvard University Press 2008).
[9] Ikechukwu Nwafuru, 'Election Petition Litigation: Key Legal Issues To Note' (The Nigeria Lawyer, 2 March 2023) https://thenigerialawyer.com/election-petition-litigation-key-legal-issues-to-note-by-prince-ikechukwu-nwafuru/ accessed August 15, 2025.
[10] *Politics Nigeria*, 'Appeal Court Strikes Out Akpabio's Motions in Senator Natasha's Suit, Fines Him N100,000' (21 May 2025) https://politicsnigeria.com/appeal-court-strikes-out-akpabios-motions-in-senator-natashas-suit-fines-him-n100000 Accessed August 15, 2025.
[11] T.O Elias, *The Nigerian Legal System* (Routledge 1963) 112–130.

can be weaponized to delay implementation or to justify non-compliance. The case of *Adegoke Motors Ltd v Adesanya* is instructive in this regard.[12] In that decision, the Supreme Court of Nigeria famously stated that 'we are final not because we are infallible, but we are infallible because we are final.' The statement underscores the importance of judicial finality, but it also implies a duty to ensure that final decisions are clear and authoritative. When finality is achieved through vague or contradictory orders, it undermines the very legitimacy of the court's role.

Definite orders also promote procedural efficiency. In a legal system burdened by case backlogs and limited judicial resources, clarity in judgments can prevent unnecessary appeals and endless litigation. When parties understand the outcome and its implications, they are less likely to return to court seeking clarification or enforcement. This efficiency is particularly crucial in Nigeria, where the average lifespan of a civil case can span several years due to procedural delays and congested dockets.[13] Moreover, definite orders enhance public trust in the judiciary. Citizens are more likely to respect and comply with judicial decisions when those decisions are perceived as clear, fair, and final. Ambiguous judgments, by contrast, erode confidence and fuel perceptions of judicial incompetence or bias. In a country like Nigeria, where the judiciary often operates under intense political pressure, maintaining public trust is essential for preserving judicial independence.[14]

The recent controversies surrounding Senator Natasha Akpoti-Uduaghan's reinstatement illustrate the dangers of judicial ambiguity. Senator Akpoti-Uduaghan claimed that the Federal High Court ruled in her favor, and Senate leadership 0n the other hand claimed that no specific order had been issued mandating her return.[15] This interpretive gap allowed for institutional defiance and delayed compliance. Had the court issued a definite, enforceable order, clearly instructing parties to the such to carry out specific obligations, the crisis might have been averted. The brief facts of the case are as follows: In March 2025, Senator Natasha Akpoti-Uduaghan, representing Kogi Central, was suspended from the Nigerian Senate for six months. The Senate cited misconduct, including refusal to sit in her assigned seat, speaking without recognition, and making abusive remarks against Senate leadership.[16] The controversy escalated when Senator Akpoti-Uduaghan accused Senate President Godswill Akpabio of sexual harassment, alleging inappropriate advances and a hostile legislative environment.[17] Akpabio denied the allegations, asserting that the suspension was based solely on procedural violations and not retaliation.[18] In July 2025, Akpoti-Uduaghan attempted to resume plenary, claiming that a Federal High Court ruling had nullified her suspension. However, Senate officials, including Akpabio's aide Kenny Okolugbo, argued that the court did not issue a specific reinstatement order.[19] They cited Ground 23 of her appeal, which acknowledged that while the suspension was deemed excessive and ultra vires, the trial judge failed to expressly nullify it.[20] The legal dispute intensified when Justice Obiora Egwuatu, initially assigned to the case, recused himself following a petition from Akpabio challenging the judge's objectivity.[21] The case was reassigned, and the matter remains unresolved, with Akpoti-Uduaghan insisting on her right to resume duties and the leadership of the Senate maintaining that due process must be followed. The case has sparked national debate on the need judicial clarity and precision in its decision-making. Similarly, in electoral disputes, the failure to issue precise orders has led to confusion over candidate eligibility, vote recounts, and the status of party leadership. The Labour Party's internal crisis, exacerbated by conflicting court orders, demonstrates how judicial vagueness can destabilize political institutions and undermine democratic processes.[22]

In sum, definite judicial orders are not merely procedural formalities, they are the backbone of legal finality, institutional efficiency, and public confidence. Nigerian courts must prioritize clarity and enforceability in their rulings, especially in cases with wide-reaching political or social implications. As this article will continue to argue, precision in judgment drafting is essential for restoring the judiciary's credibility and ensuring that justice is not only done but seen to be done.

4. Judicial Ambiguity and its Consequences

Judicial ambiguity is not a mere drafting flaw; it is a systemic hazard that undermines the rule of law, disrupts institutional coherence, and erodes public confidence in the judiciary. In Nigeria, where legal decisions often intersect with volatile political

[12] [1989] 3 NWLR (Pt 109) 250 (SC).

[13] Ayo Olanrewaju, 'Judicial Delays and the Crisis of Access to Justice in Nigeria' (2021) *Nigerian Journal of Law and Policy* 14(2) 45–67.

[14] Titilope Joseph, '64th Independence: Erosion Of Trust In Judiciary Deepens Concerns For Nigeria's Future' (Independent Nigeria, 5 October 2024) https://independent.ng/64th-independence-erosion-of-trust-in-judiciary-deepens-concerns-for-nigerias-future/ accessed 15 August 2025.

[15] *Legit.ng*, 'Natasha vs Akpabio: Court Takes Bold Action On 2 Motions by Senate President' (11 June 2025) https://www.legit.ng/nigeria/1659197-natasha-akpabio-court-finally-takes-action-akpabios-motion/

[16] Olu Ibekwe, 'The Controversy Surrounding Senator Natasha Akpoti-Uduaghan's Suspension: Matters Arising' (African Parliamentary News, 7 March 2025). https://www.africanparliamentarynews.com/2025/03/the-controversy-surrounding-senator.html accessed August 15, 2025.

[17] Emmanuel Ochayi, 'Sexual Harassment: Can Natasha Win? Legal Experts Break Down Case Against Akpabio' (Prime Business Africa, 9 March 2025) https://www.primebusiness.africa/sexual-harassment-can-natasha-win-legal-experts-break-down-the-case-against-akpabio/ accessed August 15, 2025.

[18] *Ibid.*

[19] Titilope Joseph, 'Natasha vs Akpabio: Court Takes Bold Action On 2 Motions by Senate President' (Legit.ng, 11 June 2025) https://www.legit.ng/nigeria/1659197-natasha-akpabio-court-finally-takes-action-akpabios-motion/ accessed 15 August 2025.

[20] Kenny Okolugbo, 'Natasha Appeal Filings Reveal Court Didn't Nullify Suspension' (Daily Post, 4 August 2025) https://dailypost.ng/2025/08/04/natasha-appeal-filings-reveal-court-didnt-nullify-suspension-akpabios-aide-provides-insight/ accessed 15 August 2025.

[21] Ridwan Adeola Yusuf, 'Judge Withdraws From Natasha's Case Against Akpabio' (Legit.ng, 25 March 2025) https://www.legit.ng/politics/1646912-breaking-judge-hands-natashas-case-cites-akpabios-petition/ accessed 15 August 2025.

[22] *Leadership Newspaper*, 'Labour Party Crisis Deepens as Court Orders Clash' (3 August 2025) https://leadership.ng/labour-party-crisis-deepens-as-court-orders-clash/ accessed August 15, 2025.

dynamics, the consequences of unclear judgments are particularly severe. This section explores the multifaceted impact of judicial ambiguity, examining its legal, procedural, and socio-political ramifications.

Legal Consequences of Misinterpretation and Conflicting Enforcement

At the core of judicial ambiguity lies the risk of misinterpretation. When a court fails to articulate its decision with precision, parties to the case, and even lower courts, may interpret the ruling in divergent ways. This leads to inconsistent enforcement, prolonged litigation, and, in some cases, outright defiance of judicial authority. A prime example is the case of *INEC v Musa* where the Supreme Court's ruling on party nomination procedures was interpreted differently by various political actors.[23] The ambiguity in the operative part of the judgment led to conflicting claims about candidate eligibility, forcing the Independent National Electoral Commission (INEC) to seek further clarification. The brief facts of the case centered on the constitutional limits of INEC's powers in regulating the registration of political parties. Alhaji Balarabe Musa, along with other representatives of political associations, challenged the validity of certain guidelines issued by INEC for the registration of political parties. These guidelines, according to the plaintiffs, imposed conditions that were not only onerous but also unconstitutional. They argued that INEC had exceeded its statutory and constitutional authority by introducing requirements that were not provided for in the 1999 Constitution of Nigeria.

Among the contested provisions were requirements that political associations must submit detailed personal information about their executive committee members, including names, addresses, and states of origin. INEC also demanded evidence that party membership was open to all Nigerians and that party constitutions and manifestos conformed not only to the Constitution but also to the Electoral Act and INEC's own internal guidelines. The plaintiffs contended that these conditions infringed on their constitutional right to freely form political parties, as guaranteed under Section 40 of the 1999 Constitution. They maintained that the Constitution had already laid down sufficient criteria for party registration, and that INEC had no authority to add to or modify those requirements. The Supreme Court of Nigeria agreed with the plaintiffs. It held that INEC's guidelines were *ultra vires*[24] and therefore unconstitutional. The Court emphasized that the right to form political parties is a fundamental right protected by the Constitution, and that any attempt to restrict or burden that right must be clearly authorized by law. Since the guidelines imposed conditions not found in the Constitution or the Electoral Act, they were declared null and void. Such scenarios not only delay the implementation of court decisions but also burden the judiciary with avoidable follow-up litigation. Moreover, ambiguous judgments often lack clear directives on remedies. A court may declare a party's rights violated but fail to specify the corrective action required. This leaves enforcement agencies in a legal vacuum, unsure of how to proceed. In *Attorney-General of Lagos State v Attorney-General of the Federation*, the Supreme Court ruled on the constitutional powers of state governments but left key aspects of the judgment open to interpretation, resulting in years of jurisdictional disputes.[25]

Institutional Consequences: Paralysis and Forum Shopping

Judicial ambiguity also has institutional consequences. When judgments are unclear, they can paralyze the operations of government bodies, delay policy implementation, and create jurisdictional confusion. In Nigeria's federal structure, where multiple tiers of government interact, clarity in judicial decisions is essential for administrative coordination. The case of Senator Natasha Akpoti-Uduaghan's suspension and reinstatement illustrates this paralysis. Despite a favorable ruling from the Federal High Court, the Senate leadership refused to act, citing the absence of a specific reinstatement order.[26] This interpretive gap allowed the Senate leadership to delay compliance, undermining the authority of the judiciary and creating a legal impasse. Ambiguity also encourages forum shopping, a practice where litigants seek out courts perceived to be more favorable or lenient. When judgments are vague, parties may exploit interpretive loopholes to relitigate settled issues in different jurisdictions. This undermines judicial finality and clogs the court system with repetitive cases. The Labour Party's leadership crisis, marked by conflicting court orders from different divisions of the Federal High Court, is a textbook example.[27] Rival factions obtained contradictory rulings, each claiming legitimacy, thereby deepening the party's internal crisis and exposing the judiciary to accusations of politicization.[28]

Societal Consequences: Erosion of Public Trust and Democratic Instability

Perhaps the most damaging consequence of judicial ambiguity is its impact on public trust. In a democracy, the judiciary derives its legitimacy not only from constitutional authority but also from public perception. When judgments are perceived as unclear, contradictory, or politically motivated, citizens lose faith in the legal system's ability to deliver justice. This erosion of trust has far-reaching implications. It discourages lawful behavior, fuels political cynicism, and weakens democratic institutions. In Nigeria, where the judiciary is often called upon to resolve electoral disputes, the clarity of its decisions directly affects political stability. Ambiguous rulings can delegitimize election outcomes, provoke civil unrest, and destabilize governance. The 2023 presidential election petitions, for instance, were marred by public skepticism over the clarity and consistency of judicial pronouncements. Although the courts dismissed the petitions, critics argued that the judgments lacked detailed reasoning and

[23] [2003] 3 NWLR (Pt 806) 72 (SC).
[24] Meaning beyond its legal powers.
[25] [2003] 6 SCNJ 1.
[26] *Legit.ng*, 'Natasha vs Akpabio: Court Takes Bold Action On 2 Motions by Senate President' (11 June 2025) https://www.legit.ng/nigeria/1659197-natasha-akpabio-court-finally-takes-action-akpabios-motion/.
[27] Akin Oyebode, 'The Imperative of Judicial Clarity in Nigerian Jurisprudence' (2008) 2 *Nigerian Law Journal* 45, 47.
[28] *Leadership Newspaper*, 'Labour Party Crisis Deepens as Court Orders Clash' (3 August 2025) https://leadership.ng/labour-party-crisis-deepens-as-court-orders-clash/.

failed to address key evidentiary issues.[29] This perception, whether accurate or not, fueled public discontent and cast a shadow over the electoral process. Furthermore, judicial ambiguity can embolden political actors to defy court orders with impunity. When rulings are vague, enforcement becomes discretionary, and compliance becomes negotiable. This undermines the judiciary's role as a check on executive and legislative power. In the long term, it threatens the separation of powers and weakens constitutional governance.

Comparative Insights: Lessons from Some Other Jurisdictions

Other common law jurisdictions have grappled with the problem of judicial ambiguity and developed mechanisms to mitigate its impact. In the United Kingdom, courts are required to issue 'reasoned judgments' that clearly state the facts, legal issues, and conclusions. The Civil Procedure Rules mandate that judgments must be intelligible to both parties and the public.[30] In India, the Supreme Court has emphasized the importance of speaking orders-judgments that explain the rationale behind the decision. In *Kranti Associates Pvt Ltd v Masood Ahmed Khan*, the Court held that reasoned judgments are essential for transparency and accountability.[31] The complainant had purchased a flat and was overcharged, the District Consumer Forum found evidence of collusion and conspiracy between the builder and the bank to defraud the complainant and other buyers. It ordered the builder and other respondents to pay the refund, compensation and litigation costs. The builder and other parties appealed to the State Consumer Commission**,** which dismissed the appeals. The matter was then taken to the National Consumer Disputes Redressal Commission (NCDRC)**,** which also dismissed the revision petitions, one with a detailed order and another with a non-speaking order. Aggrieved, the parties filed Special Leave Petitions (SLPs) before the Supreme Court of India, which allowed the appeals and remitted the cases back to the respective commissions for fresh consideration, emphasizing the need for reasoned judicial orders. Similarly, South Africa's Constitutional Court routinely publishes detailed judgments with clear operative parts, ensuring that enforcement agencies and litigants understand the implications. In a landmark decision that underscores the Constitutional Court of South Africa's commitment to transparency and accountability, the case of *Corruption Watch (RF) NPC v Speaker of the National Assembly and Others*[32] reaffirmed the judiciary's role in enforcing constitutional obligations within the legislative arm of government.

The case was initiated by Corruption Watch, a prominent civil society organization, which challenged the inaction of the Speaker of the National Assembly in addressing allegations of corruption and misconduct involving certain Members of Parliament. The applicants argued that Parliament had a constitutional duty to uphold the principles of accountability**,** transparency, and good governance**,** as enshrined in Sections 1 and 195 of the South African Constitution. By failing to initiate disciplinary proceedings or take remedial action, the Speaker and Parliament were accused of undermining public trust and violating their constitutional mandate. The respondents, including the Speaker and parliamentary officials, contended that internal mechanisms within Parliament were sufficient to address such concerns and that judicial intervention would infringe upon the doctrine of separation of powers. They maintained that Parliament should be allowed to regulate its own affairs without interference from the courts. However, the Constitutional Court disagreed, delivering a powerful judgment authored by Justice Goosen. The Court held that Parliament's failure to act amounted to a dereliction of constitutional duty. It emphasized that constitutional principles are not aspirational ideals but binding obligations, and that the judiciary has the authority to ensure that all organs of state comply with these duties. Importantly, the Court's judgment included clear and detailed operative parts, which directed Parliament to initiate disciplinary proceedings against the implicated MPs; establish a transparent framework for future accountability and report back to the Court within a specified timeframe on the steps taken.

This decision is significant not only for its substantive outcome but also for its procedural clarity. It exemplifies the Constitutional Court's practice of issuing reasoned judgments with enforceable directives, ensuring that litigants and enforcement agencies understand the implications and required actions. Nigeria can draw valuable lessons from these jurisdictions. By institutionalizing judgment-writing protocols, intensify the training of judges in legal drafting, and encouraging peer review of rulings thereby enhancing clarity and reduce ambiguity. These reforms are essential for preserving the judiciary's credibility and strengthening democratic governance.

5. Socio-Legal Implications of Unclear Judgments

The implications of judicial ambiguity extend far beyond the confines of legal doctrine and courtroom procedure. They penetrate the social fabric, influencing public perceptions of justice, shaping civic behaviour, and affecting the lived experiences of individuals who interact with the legal system. In societies where the judiciary is perceived as a guardian of rights and a bulwark against executive and legislative overreach, the clarity of judicial decisions becomes a matter of democratic significance. Unclear judgments not only frustrate legal actors but also erode the normative legitimacy of the judiciary, particularly in contexts marked by political volatility, institutional fragility, and social inequality. One of the most profound socio-legal consequences of unclear judgments is the erosion of public trust in the judiciary. Trust is the currency of judicial authority; it is what enables courts to command compliance without coercion and to resolve disputes with finality.[33] When judgments are vague, contradictory, or procedurally opaque, they invite suspicion, speculation, and cynicism. Citizens begin to question whether justice is truly being served or whether judicial outcomes are manipulated by political or economic interests.[34] In

[29]Chidi Odinkalu, 'Judicial Responses to Electoral Disputes in Nigeria: Between Law and Legitimacy' (2023) *Premium Times* https://premiumtimesng.com/opinion/judicial-responses-to-electoral-disputes-in-nigeria Accessed August 15, 2025.
[30] UK Civil Procedure Rules 1998, Part 40.
[31] (2010) 9 SCC 496 (India SC).
[32] [2025] ZACC 15.
[33] Tom Bingham, *The Rule of Law* (Penguin 2011) 61.
[34] Brian Z Tamanaha, *On the Rule of Law* (Cambridge University Press 2004) 145.

Nigeria, where the judiciary has historically struggled with allegations of corruption and executive interference, the clarity of judicial reasoning is essential to restore and sustain public confidence.[35] The recent wave of post-election litigation involving the Labour Party and its candidates provides a compelling illustration of this dynamic. Following the 2023 general elections, numerous petitions were filed challenging the conduct and outcome of various contests, including those involving Peter Obi, Senator-elect Natasha Akpoti-Uduaghan, and other Labour Party candidates.[36] While some of these cases were resolved with commendable clarity, others were marred by procedural confusion and ambiguous reasoning.[37] In *Labour Party v INEC*, for instance, the tribunal's ruling on the admissibility of electronic evidence was criticised for its lack of doctrinal coherence, leaving both parties and observers uncertain about the legal standards governing electoral disputes.[38] The opacity of such decisions undermines the credibility of the electoral process and fuels political instability.

Judicial ambiguity also has a chilling effect on legal literacy and civic engagement. In societies where access to legal education is limited, citizens rely on the clarity of judicial decisions to understand their rights and obligations.[39] A judgment that is densely worded, poorly structured, or devoid of explanatory reasoning becomes inaccessible to the very people it is meant to serve.[40] This problem is exacerbated in cases involving constitutional rights, where the stakes are high and the public interest is acute. In *Akpabio v Akpoti-Uduaghan*, the lack of clarity surrounding the procedural posture and substantive claims created confusion not only among legal practitioners but among journalists, civil society actors, and ordinary citizens seeking to follow the case.[41] The result is a democratic deficit, where legal outcomes are divorced from public understanding and participation.

Moreover, unclear judgments can perpetuate systemic inequalities by disproportionately affecting marginalised groups. Individuals who lack the resources to pursue clarification or appeal are often left without remedy, while those with access to elite legal representation can navigate the ambiguity to their advantage.[42] This asymmetry reinforces existing hierarchies and undermines the principle of equal access to justice. In gender-related litigation, for example, the failure to clearly articulate findings on harassment, discrimination, or procedural fairness can silence victims and embolden perpetrators.[43] The case of Senator Natasha Akpoti-Uduaghan, who alleged harassment and procedural irregularities in her legal battle with Senate President Akpabio, underscores the importance of judicial clarity in affirming the rights of women in political spaces.[44] A judgment that fails to address these issues with precision risks normalising institutional bias and discouraging future claims.

The socio-legal implications of unclear judgments are also felt within the legal profession. Lawyers depend on judicial reasoning to advise clients, develop litigation strategies, and interpret the law. When judgments are ambiguous, the advisory function of legal practice is compromised, leading to increased litigation, inconsistent outcomes, and professional frustration.[45] Judges, too, are affected, as they must interpret and apply precedents that may be unclear or internally inconsistent. This creates a ripple effect throughout the judiciary, weakening the coherence of legal doctrine and complicating the administration of justice.

Furthermore, judicial ambiguity can distort media reporting and public discourse. In an era of rapid information dissemination, court decisions are often summarised and circulated by journalists, bloggers, and social media users. If the original judgment is unclear, these secondary interpretations may be inaccurate or misleading, shaping public opinion in ways that are disconnected from the legal reality.[46] In politically sensitive cases, such as those involving high-ranking officials or contested elections, this distortion can have serious consequences, including protests, misinformation campaigns, and delegitimisation of democratic institutions.[47] The judiciary, by failing to communicate its decisions with clarity, inadvertently contributes to these outcomes.

Despite these challenges, judicial ambiguity remains a persistent feature of many legal systems, including Nigeria's. Structural factors such as inadequate judicial training, lack of editorial oversight, and institutional inertia contribute to the problem.[48] Cultural factors, including the valorisation of verbosity and the absence of a robust tradition of legal writing, also play a role. Addressing these issues requires a comprehensive strategy that includes reforming judicial education, introducing peer review

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[35] Akin Oyebode, 'The Imperative of Judicial Clarity in Nigerian Jurisprudence' (2008) 2 *Nigerian Law Journal* 45, 47.
[36]Vanguard, 'Labour Party Petitions Tribunal Over Election Results in Kogi, Delta, and Imo' (March 2023) https://www.vanguardngr.com/2023/03/labour-party-petitions-tribunal-over-election-results/ accessed 10 August 2025.
[37]Premium Times, 'Election Petitions: Tribunal Delivers Mixed Verdicts on Labour Party Candidates' (June 2023) https://www.premiumtimesng.com/news/top-news/603219-election-petitions-tribunal-delivers-mixed-verdicts-on-labour-party-candidates.html accessed 10 August 2025.
[38] [2023] EPT/LP/ABJ/03/2023 (Election Petition Tribunal, Abuja).
[39] Deborah L Rhode, 'Access to Justice' (2004) 69 *Fordham L Rev* 1785, 1792.
[40] Chinua Asuzu, The Uncommon Law of Learned Writing (Patridge- China 2015) 32.
[41] (Court of Appeal, Abuja, Suit Nos CV/395/M1/2025 and CV/395/M2/2025).
[42] Richard A Posner, *How Judges Think* (Harvard University Press 2008) 128–130.
[43]Women Advocates Research and Documentation Centre (WARDC), 'Gender Justice and the Nigerian Judiciary' (2022) https://wardc.org/gender-justice-and-the-nigerian-judiciary/ accessed August 10, 2025.
[44] TheNigeriaLawyer, 'Senate In Crisis: The Natasha-Akpabio Controversy And Nigeria's Struggle With Power, Gender And Due Process' (June 2025) https://thenigerialawyer.com/senate-in-crisis-the-natasha-akpabio-controversy-and-nigerias-struggle-with-power-gender-and-due-process/ accessed August, 10, 2025.
[45] Kate Malleson, 'Judicial Training and Performance Evaluation: The Challenge of Judicial Independence' (1999) 19 *LS* 431, 435.
[46] BusinessDay, 'Should Nigeria Await Another Akpabio-Themed Drama?' (10 August 2025) https://businessday.ng/opinion/article/should-nigeria-await-another-akpabio-themed-drama/ accessed August 10, 2025
[47]Legit.ng, 'Natasha vs Akpabio: Court Takes Bold Action On 2 Motions by Senate President' (11 June 2025) https://www.legit.ng/nigeria/1659197-natasha-akpabio-court-finally-takes-action-akpabios-motion/ accessed August 10, 2025.
[48] Cheryl Thomas, 'Judicial Decision Making and Accountability' (2005) 24 *CJQ* 117, 122.

mechanisms, and cultivating a culture of clarity within the legal profession. The socio-legal implications of unclear judgments are profound and far-reaching. They affect not only the parties to a dispute but, the broader society, shaping public perceptions of justice, influencing civic behaviour, and reinforcing systemic inequalities. The recent political cases involving the Labour Party, Senator Akpabio, and Senator Natasha Akpoti-Uduaghan demonstrate the urgent need for precision in judicial reasoning. As this article continues to argue, clarity is not a peripheral concern but a central pillar of legal legitimacy and democratic governance.

6. Comparative Jurisdictional Analysis

The pursuit of judicial precision is not unique to Nigeria; it is a global concern that manifests differently across legal traditions and institutional contexts. Comparative analysis offers valuable insights into how various jurisdictions conceptualise and operationalise clarity in judicial decision-making. By examining the practices of select common law and civil law systems, this section highlights both the universal challenges of judicial ambiguity and the diverse strategies employed to mitigate its effects. The goal is not to prescribe a one-size-fits-all solution but to illuminate best practices that may inform reform efforts in Nigeria and other similarly situated jurisdictions. In the United Kingdom, the common law tradition places a premium on judicial reasoning and the articulation of precedent. The doctrine of stare decisis requires that courts provide clear and detailed explanations of their decisions, particularly in appellate judgments.[49] The House of Lords (now the Supreme Court) has historically emphasised the importance of ratio decidendi, ensuring that lower courts can follow and apply its rulings with consistency.[50] Judicial opinions are typically structured with a clear statement of facts, identification of legal issues, analysis of applicable law, and a reasoned conclusion.[51] This format not only facilitates doctrinal development but also enhances transparency and public understanding. Moreover, the UK judiciary benefits from robust editorial support, including law clerks and legal researchers who assist in drafting and refining judgments.[52] In contrast, the United States combines common law reasoning with a strong emphasis on judicial accountability and public engagement. Supreme Court opinions are often lengthy and meticulously reasoned, reflecting the court's role in shaping constitutional doctrine and national policy.[53] Dissenting and concurring opinions are common, providing alternative perspectives and enriching the legal discourse.[54] The clarity of judicial writing is reinforced by the expectation that decisions will be scrutinised by legal scholars, journalists, and the public. Judicial training in legal writing is institutionalised, and judges are encouraged to write with precision and accessibility.[55] The use of plain language in judgments has gained traction, with initiatives aimed at making legal decisions comprehensible to non-lawyers.[56]

Civil law jurisdictions, such as France and Germany, approach judicial precision differently. In these systems, judgments are typically concise and formalistic, reflecting the codified nature of the law and the limited role of precedent.[57] French judgments, for example, often lack detailed reasoning, relying instead on the authority of the code and the interpretive function of the judge.[58] While this brevity promotes efficiency, it can obscure the rationale behind decisions and limit their pedagogical value. Germany, by contrast, has developed a more explanatory style, particularly in constitutional adjudication. The Federal Constitutional Court issues detailed opinions that articulate the legal principles and reasoning underlying its decisions, thereby enhancing transparency and doctrinal clarity.[59] In South Africa, a hybrid legal system combining common law and civil law influences has produced a distinctive approach to judicial reasoning. The Constitutional Court, in particular, has been lauded for its commitment to clarity, accessibility, and transformative jurisprudence.[60] Judgments are often written in plain language, with careful attention to structure and reasoning. The court has explicitly recognised the importance of judicial communication in fostering public trust and promoting constitutional values.[61] In *Doctors for Life International's case* the court emphasised that judicial decisions must be intelligible to the public, particularly in matters involving fundamental rights.[62] This commitment to clarity is supported by judicial training programmes and a culture of accountability within the judiciary. Nigeria, by comparison, faces significant challenges in achieving judicial precision. While the common law tradition provides a framework for reasoned judgments, systemic constraints often undermine the quality of judicial writing. Heavy caseloads, limited resources, and inadequate training contribute to the prevalence of ambiguous and poorly structured decisions.[63] The absence of institutional support, such as law clerks or editorial review, places additional pressure on judges, particularly at the appellate level. Moreover, the lack of a consistent format for judgments leads to variability in style and substance, complicating the task of interpreting and applying precedent.[64]

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[49] Rupert Cross and JW Harris, *Precedent in English Law* (Oxford University Press 4th edn, 1991) 3–5.
[50] Neil Duxbury, *The Nature and Authority of Precedent* (Cambridge University Press 2008) 112–115.
[51] Lord Bingham, *The Rule of Law* (Penguin 2011) 38–40.
[52] Kate Malleson, 'Judicial Training and Performance Evaluation: The Challenge of Judicial Independence' (1999) 19 *LS* 431, 435.
[53] Richard A Posner, *How Judges Think* (Harvard University Press 2008) 128–130.
[54] Antonin Scalia and Bryan A Garner, *Making Your Case: The Art of Persuading Judges* (Thomson West 2008) 45–47.
[55] Bryan A Garner, *Legal Writing in Plain English* (University of Chicago Press 2001) 3–5.
[56] Plain Language Association International, 'Plain Language in Legal Judgments' (2020) https://plainlanguagenetwork.org/legal-judgments/ accessed August 12, 2025.
[57] John Bell, *Judicial Reasoning and the Doctrine of Precedent in the Civil Law* (Cambridge University Press 2006) 22–25.
[58] Mitchel Lasser, *Judicial Deliberations: A Comparative Analysis of Transparency and Legitimacy* (Oxford University Press 2004) 78.
[59] Donald P Kommers and Russell A Miller, *The Constitutional Jurisprudence of the Federal Republic of Germany* (Duke University Press 3rd edn, 2012) 112–115.
[60] Cora Hoexter, *Administrative Law in South Africa* (Juta 2nd edn, 2012) 45.
[61] Theunis Roux, *The Politics of Principle: The First South African Constitutional Court, 1995–2005* (Cambridge University Press 2013) 89.
[62] *Doctors for Life International v Speaker of the National Assembly* [2006] ZACC 11.
[63] Akin Oyebode, 'The Imperative of Judicial Clarity in Nigerian Jurisprudence' (2008) 2 *Nigerian Law Journal* 45, 47.
[64] Cheryl Thomas, 'Judicial Decision Making and Accountability' (2005) 24 *CJQ* 117, 122.

Despite these challenges, there are promising developments. The Nigerian Institute of Advanced Legal Studies and the National Judicial Institute have initiated programs aimed at improving judicial writing and reasoning.[65] Some courts have adopted judgment templates to promote consistency and clarity.[66] The Supreme Court, in recent years, has issued several decisions that demonstrate a renewed commitment to precision, particularly in constitutional and electoral matters. However, these efforts remain uneven and require sustained institutional support. Comparative analysis reveals that judicial precision is not merely a function of legal tradition but of institutional design, cultural norms, and professional training. Jurisdictions that prioritise clarity, through structured reasoning, editorial support, and public engagement, tend to produce judgments that are more accessible, authoritative, and impactful. Nigeria can draw on these experiences to strengthen its own adjudicative practices, recognising that the power of precision lies not only in legal doctrine but in the communicative and normative force of judicial decisions.

7. The Role of Judicial Training and Legal Drafting

Judicial precision is not merely a product of individual aptitude; it is cultivated through structured training, institutional support, and a culture of excellence in legal drafting. In Nigeria, as in many jurisdictions, the quality of judicial decisions is inextricably linked to the professional development of judges and the resources available to them.

Judicial Education and Professional Development: Judicial training in Nigeria is primarily coordinated by the National Judicial Institute (NJI), which offers seminars, workshops, and continuing education programmes for judges at all levels.[67] These initiatives aim to enhance legal knowledge, ethical standards, and adjudicative skills. However, the emphasis on legal drafting and reasoning remains inconsistent.[68] While some programmes address judgment writing, they often lack depth, regularity, and practical engagement.[69] Judges are rarely exposed to comparative drafting techniques or plain language principles, which are increasingly recognised as essential to effective judicial communication.[70] In contrast, jurisdictions such as Canada and Australia have institutionalised judicial education as a lifelong process. The Canadian Judicial Council, for example, mandates ongoing training in legal writing, decision-making, and public engagement.[71] Judges participate in peer review exercises, simulated judgment writing, and interdisciplinary workshops that foster clarity and precision.[72] Similarly, the Judicial Commission of New South Wales offers targeted programmes on legal reasoning, structure, and audience awareness.[73] These models demonstrate that judicial excellence is not innate but cultivated through sustained investment in professional development.

Legal Drafting Conventions and Judgment Structure: The structure of judicial decisions plays a critical role in ensuring clarity. A well-drafted judgment typically includes a concise summary of facts; identification of legal issues; analysis of applicable law; application of law to facts and a reasoned conclusion. This format, while standard in many common law jurisdictions, is not uniformly adopted in Nigeria.[74] Judges often deviate from structured reasoning, resulting in judgments that are difficult to follow, internally inconsistent, or lacking in analytical depth.[75] The absence of editorial oversight exacerbates these issues, particularly in appellate courts where judgments may span dozens of pages without clear signposting.[76] Legal drafting is further complicated by the use of archaic language, convoluted syntax, and excessive reliance on Latin maxims.[77] While these features may reflect tradition, they often obscure meaning and alienate non-specialist readers. The movement toward plain language in legal writing, championed by scholars such as Bryan Garner and institutions like the Plain Language Association International, offers a compelling alternative.[78] Plain language does not mean simplistic writing; it means clarity, precision, and accessibility without sacrificing legal rigor.[79]

Institutional Support and Editorial Review: Judicial precision is also a function of institutional design. In many jurisdictions, judges are supported by law clerks, research assistants, and editorial teams who assist in drafting, reviewing, and refining judgments.[80] These support structures enable judges to focus on substantive reasoning while ensuring that the final product

[65] Nigerian Institute of Advanced Legal Studies, 'Judicial Writing Workshop Report' (2023) https://nials.edu.ng/judicial-writing-workshop-report/ accessed August 10, 2025.
[66] National Judicial Institute, 'Judgment Templates and Best Practices' (2024) https://nji.gov.ng/judgment-templates-and-best-practices/ accessed August 10, 2025.
[67] National Judicial Institute, 'Annual Training Calendar' (2025) https://nji.gov.ng/training-calendar/ accessed 10 August 2025.
[68] Akin Oyebode, 'Judicial Education and the Quest for Excellence' (2019) 3 *Nigerian Law Journal* 88, 90.
[69] NJI, 'Judgment Writing Workshop Report' (2023) https://nji.gov.ng/judgment-writing-report/ accessed 10 August 2025.
[70] Bryan A Garner, *Legal Writing in Plain English* (University of Chicago Press 2001) 5–7.
[71] Canadian Judicial Council, 'Judicial Education Guidelines' (2024) https://cjc-ccm.ca/en/judicial-education accessed August 12, 2025.
[72] Ruth Sullivan, 'Judicial Writing and the Public' (2015) 33 *Advocates' Quarterly* 112, 115.
[73] Judicial Commission of NSW, 'Judicial Writing Programme' (2023) https://judcom.nsw.gov.au/writing-programme/ accessed August 12, 2025.
[74] Akin Oyebode, 'Judicial Education and the Quest for Excellence' (2019) 3 *Nigerian Law Journal* 88, 90.
[75] Cheryl Thomas, 'Judicial Decision Making and Accountability' (2005) 24 *CJQ* 117, 122.
[76] Nigerian Bar Association, 'Appellate Judgment Review' (2022) https://nba.org.ng/appellate-review/ accessed August 12, 2025.
[77] Bryan A Garner, *Legal Writing in Plain English* (University of Chicago Press 2001) 5–7.
[78] Plain Language Association International, 'Plain Language in Legal Judgments' (2020) https://plainlanguagenetwork.org/legal-judgments/ accessed August 12, 2025.
[79] Joseph Kimble, Lifting the Fog of Legalese, in Joseph Kimble, Essays on Plain Language, Durham, North Carolina, Carolina Academic Press, 2006 xii-xiv.
[80] Kate Malleson, 'Judicial Training and Performance Evaluation: The Challenge of Judicial Independence' (1999) 19 *LS* 435.

meets high standards of clarity and coherence. Nigeria, however, lacks such institutional mechanisms. Judges often work in isolation, without access to research support or editorial review.[81] This not only affects the quality of judgments but also places undue pressure on judicial officers, particularly in high-volume courts. Some reform proposals have called for the introduction of judicial clerks, Judges Assistants and peer review systems within Nigerian courts.[82] These measures could enhance the quality of legal reasoning, promote consistency, and reduce the incidence of ambiguous or contradictory decisions. Pilot programmes in select jurisdictions, such as Lagos State, Rivers State, have shown promise, with improved judgment quality and reduced turnaround times.[83] However, scaling these initiatives requires political will, budgetary allocation, and institutional commitment

8. Case Studies: Judicial Ambiguity and its Consequences

Judicial ambiguity is not a theoretical concern, it has real-world implications for legal certainty, public trust, and the administration of justice. This section presents selected case studies from Nigeria and other jurisdictions to illustrate how unclear judicial reasoning can lead to confusion, misapplication of precedent, and erosion of institutional credibility. These examples underscore the urgency of reform and the need for precision in judicial communication.

Nigeria: ***Adegoke Motors Ltd v Adesanya*** Case: One of the most frequently cited Nigerian cases on judicial finality is ***Adegoke Motors Ltd v Adesanya***, where the Supreme Court famously stated: 'We are final not because we are infallible; we are infallible only because we are final.'[84] While this dictum underscores the authority of the Supreme Court, it also raises concerns about the rigidity of precedent and the potential for error. The judgment, though rhetorically powerful, lacked detailed reasoning on the substantive legal issues, leading to divergent interpretations in subsequent cases.[85] At the heart of the dispute was the issue of whether a writ of summons served outside jurisdiction, without strict compliance with Sections 97 and 99 of the Sheriffs and Civil Process Act, rendered the entire proceedings void. *Adegoke Motors Ltd*, the appellant, argued that the writ was invalid due to improper service, and that the trial court lacked jurisdiction to entertain the matter. The Supreme Court, however, drew a crucial distinction between the **validity of a writ** and the **validity of its service**. Justice Oputa, delivering the lead judgment, emphasized that a writ of summons is not rendered void merely because it was served irregularly. He held that while non-compliance with statutory provisions governing service outside jurisdiction may constitute an irregularity, such irregularity does not nullify the writ itself. This clarification was essential in reinforcing the principle that procedural defects, unless they go to the root of jurisdiction or cause substantial injustice, do not automatically invalidate legal proceedings. The Court went on to state that by entering an **unconditional appearance**, *Adegoke Motors Ltd* had effectively waived any objection to the irregular service. The Court applied this principle with confidence, citing established precedents and procedural rules. This aspect of the judgment underscored the importance of litigants acting promptly and consistently if they wish to challenge procedural defects. The Supreme Court also dismissed the appeal with finality, affirming the trial court's jurisdiction and the validity of the judgment entered in default of defence. This dismissal was not only procedurally correct but also conveyed a strong message about the consequences of procedural negligence and tactical delay. Lower courts have struggled to reconcile the principle of finality with the need for doctrinal evolution, resulting in inconsistent applications and doctrinal stagnation.[86]

Nigeria's Electoral Disputes and Judicial Vagueness: Electoral litigation in Nigeria has often been marred by ambiguous judgments that fuel political controversy and public distrust. In *Hope Uzodinma v Emeka Ihedioha* the Supreme Court overturned the election of a sitting governor based on a recalculation of votes from polling units previously excluded.[87] This Supreme Court's case remains one of the most controversial judgments in Nigeria's electoral jurisprudence. While the ruling was undoubtedly final, given the Supreme Court's position as the apex court, it has been widely debated in terms of its clarity and precision. The case raised fundamental questions about judicial reasoning, electoral integrity, and the role of the judiciary in democratic governance. The dispute arose from the 2019 Imo State governorship election, in which Emeka Ihedioha of the Peoples Democratic Party (PDP) was declared winner by the Independent National Electoral Commission (INEC). Hope Uzodinma, the candidate of the All Progressives Congress (APC), challenged the result, alleging that INEC had unlawfully excluded votes from 388 polling units where he claimed to have won a majority. He sought to have those votes included and himself declared the rightful winner. In a dramatic turn, the Supreme Court accepted Uzodinma's claim and declared him the winner of the election. The Court held that the exclusion of the 388 polling unit results was unjustified and that Uzodinma had, in fact, won the majority of lawful votes cast. Consequently, Emeka Ihedioha was removed from office, and Uzodinma was sworn in as Governor of Imo State. From a procedural standpoint, the decision was final and binding. The Supreme Court's judgments are not subject to appeal, and the execution of the ruling was swift. However, the clarity and precision of the judgment have been called into question. Critics argue that the Court failed to adequately reconcile the total number of votes with the number of accredited voters, leading to allegations of mathematical inconsistency. The fact that Uzodinma, who originally placed fourth in the election results, was declared winner further fueled public skepticism.

Legal analysts remain divided. Some defend the ruling as procedurally sound, noting that Ihedioha's legal team failed to effectively challenge the evidence presented by Uzodinma. Others view the judgment as a troubling precedent, suggesting that it undermines public confidence in the judiciary and electoral processes. The controversy surrounding the case has sparked calls

[81] Akin Oyebode, 'Judicial Education and the Quest for Excellence' (2019) 3 *Nigerian Law Journal* 88, 91.
[82] Cheryl Thomas, 'Judicial Decision Making and Accountability' (2005) 24 *CJQ* 117, 122.
[83] Nigerian Bar Association, 'Appellate Judgment Review' (2022) https://nba.org.ng/appellate-review/ accessed 10 August 2025.
[84] *Adegoke Motors Ltd v Adesanya* [1989] 3 NWLR (Pt 109) 250.
[85] Akin Oyebode, 'Finality and Fallibility in Nigerian Jurisprudence' (2009) 4 *Nigerian Law Journal* 55, 58.
[86] Nigerian Bar Association, 'Judicial Precedent and Lower Court Compliance' (2021) https://nba.org.ng/precedent-compliance/ accessed August 12, 2025.
[87] [2020] SC.1462/2019.

for judicial reform and greater transparency in electoral litigation. Although final in law, its clarity and precision remain contested. The judgment exposed deep tensions between legal formalism and democratic legitimacy, and it continues to provoke debate about the role of the judiciary in shaping Nigeria's political landscape. Critics argued that the judgment lacked clarity on the legal basis for the recalculation and failed to address procedural irregularities.[88] The decision sparked widespread debate, with legal scholars and civil society organisations calling for greater transparency in electoral adjudication.[89] Similarly, in *Atiku Abubakar v INEC & Ors* (2019), the Presidential Election Petition Tribunal dismissed the petitioner's claims without adequately addressing key evidentiary issues.[90] The judgment was criticised for its convoluted reasoning and lack of engagement with constitutional principles.[91] These cases highlight how judicial ambiguity can undermine democratic legitimacy and provoke institutional backlash.

United Kingdom: ***R v Jogee*** (2016): In ***R v Jogee***, the UK Supreme Court revisited the doctrine of joint enterprise, overturning decades of precedent that had allowed for broad liability in criminal cases.[92] The court acknowledged that previous decisions had 'taken a wrong turn' and failed to articulate the mental element required for conviction.[93] While the judgment was praised for its doctrinal clarity, it also revealed the dangers of sustained ambiguity in judicial reasoning. The lack of precision in earlier rulings had led to miscarriages of justice and over-criminalisation.[94] ***Jogee*** serves as a cautionary tale about the cumulative effects of unclear precedent and the importance of doctrinal correction.

South Africa: ***Minister of Health v Treatment Action Campaign*** (2002): In this landmark case, the South African Constitutional Court ordered the government to make antiretroviral drugs available to prevent mother-to-child transmission of HIV.[95] The judgment was celebrated for its clarity, accessibility, and moral force. The court articulated the constitutional obligations of the state in plain language, making the decision intelligible to both legal professionals and the public. This case demonstrates how judicial precision can empower citizens, promote accountability, and advance social justice. It stands in contrast to opaque judgments that obscure legal principles and hinder enforcement.

Consequences of Judicial Ambiguity

Judicial ambiguity is not a benign flaw; it is a systemic vulnerability that reverberates across the legal, institutional, and democratic fabric of a nation. In Nigeria, where the judiciary plays a pivotal role in resolving political disputes, safeguarding constitutional rights, and maintaining public order, the consequences of unclear judicial reasoning are particularly acute.

Doctrinal Confusion: One of the most immediate consequences of judicial ambiguity is doctrinal confusion. Legal doctrine thrives on consistency, clarity, and the faithful application of precedent. When courts issue judgments that are vague, internally inconsistent, or lacking in structured reasoning, they disrupt the doctrinal coherence of the legal system. Lower courts, tasked with applying these decisions, are left to interpret them subjectively, often leading to divergent outcomes in similar cases. This undermines the principle of stare decisis and weakens the predictive value of precedent. In Nigeria, doctrinal confusion is particularly evident in areas such as electoral law, constitutional interpretation, and jurisdictional boundaries. For example, conflicting decisions on the powers of the Independent National Electoral Commission (INEC) to disqualify candidates have created uncertainty in electoral litigation.[96] Without clear judicial guidance, legal practitioners struggle to advise clients, and courts risk issuing contradictory rulings. Over time, this erodes the intellectual integrity of the legal system and diminishes its capacity to evolve coherently.

Public Distrust: Ambiguous judgments also erode public confidence in the judiciary. In a democratic society, the legitimacy of judicial authority depends not only on constitutional mandate but also on public perception. When court decisions are perceived as unclear, contradictory, or politically motivated, citizens begin to question the impartiality and competence of the judiciary. This distrust can be corrosive, leading to widespread cynicism about the rule of law and the fairness of legal processes. The Nigerian public has grown increasingly skeptical of judicial interventions in political disputes, particularly when judgments lack transparency or fail to address core issues. The controversy surrounding Senator Natasha Akpoti-Uduaghan's suspension and the Senate's refusal to comply with a court ruling, citing lack of clarity, exemplifies how judicial vagueness can fuel institutional defiance and public outrage.[97] In such cases, the judiciary risks being viewed not as a neutral arbiter but as a political actor, thereby compromising its independence and moral authority.

Legal Uncertainty: Legal uncertainty is a direct byproduct of judicial ambiguity. When judgments are unclear, litigants and lawyers struggle to predict outcomes, formulate legal strategies, and assess the risks of litigation. This unpredictability undermines the very purpose of adjudication, which is to provide resolution, guidance, and closure. In commercial transactions,

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[88] Chidi Odinkalu, 'Electoral Adjudication and the Crisis of Judicial Legitimacy' (2020) 5 *African Journal of Legal Studies* 112, 115.
[89]Centre for Democracy and Development, 'Judicial Transparency in Electoral Disputes' (2020) https://cddwestafrica.org/judicial-transparency/ accessed August 14, 2025.
[90] [2019] PEPT/2019.
[91] Olisa Agbakoba, 'Presidential Election Petitions and the Burden of Proof' (2019) 3 *Constitutional Review* 88, 90.
[92] *R v Jogee* [2016] UKSC 8.
[93] *Ibid*, 87.
[94] Andrew Ashworth, 'Joint Enterprise and the Limits of Criminal Liability' (2016) 132 *LQR* 23, 25.
[95] *Minister of Health v Treatment Action Campaign* [2002] ZACC 15.
[96] *INEC v Musa* [2003] 3 NWLR (Pt 806) 72 (SC).
[97]*Legit.ng*, 'Natasha vs Akpabio: Court Takes Bold Action On 2 Motions by Senate President' (11 June 2025) https://www.legit.ng/nigeria/1659197-natasha-akpabio-court-finally-takes-action-akpabios-motion/ accessed August 15, 2025

regulatory compliance, and constitutional litigation, legal uncertainty can have far-reaching consequences, discouraging investment, delaying enforcement, and complicating governance. In Nigeria, legal uncertainty is exacerbated by the inconsistent application of precedent and the absence of standardized judgment formats.[98] Courts often deviate from established reasoning structures, making it difficult to extract the ratio decidendi or to distinguish binding precedent from obiter dicta. This lack of clarity hampers legal education, confuses practitioners, and weakens the judiciary's role as a source of normative guidance.

Institutional Strain: Judicial ambiguity also places significant strain on the institutional capacity of the judiciary. When lower courts receive unclear judgments from appellate courts, they are more likely to misapply the law, leading to appeals and further litigation. This creates a feedback loop of legal confusion and procedural congestion, overwhelming appellate courts and delaying justice. In Nigeria, where the judiciary is already burdened by case backlogs and limited resources, the cost of ambiguity is particularly high. The Supreme Court and Court of Appeal frequently face appeals arising not from substantive disagreement but from unclear lower court decisions.[99] These appeals consume valuable judicial time and resources, diverting attention from more complex or urgent matters. Moreover, the absence of editorial review mechanisms and judgment templates contributes to the variability in judgment quality, exacerbating institutional inefficiency.

Democratic Risk: Perhaps the most profound consequence of judicial ambiguity is its potential to destabilize democratic institutions. In politically sensitive cases, such as electoral disputes, impeachment proceedings, or constitutional challenges, the clarity of judicial decisions is essential for maintaining public order and institutional legitimacy. Ambiguous rulings can delegitimize election outcomes, provoke civil unrest, and embolden political actors to defy legal norms. The Labour Party's leadership crisis, marked by conflicting court orders from different divisions of the Federal High Court, is a clear proof of how judicial vagueness can undermine democratic stability.[100] Rival factions obtained contradictory rulings, each claiming legitimacy, thereby deepening the party's internal crisis and exposing the judiciary to accusations of politicization. In such contexts, judicial clarity is not merely a legal virtue, it is a democratic imperative. The consequences of judicial ambiguity are far-reaching and deeply interconnected. They affect the doctrinal coherence of the legal system, the public's trust in judicial institutions, the predictability of legal outcomes, the efficiency of court operations, and the stability of democratic governance. Addressing these challenges requires a systemic commitment to precision in judgment writing, institutional reform, and a renewed culture of judicial accountability.

These case studies reinforce the central thesis of this article: that judicial precision is not a luxury but a necessity. It is the cornerstone of legal certainty, institutional legitimacy, and democratic governance.

9. Conclusion and Recommendations

Judicial precision is not merely a stylistic preference, it is a constitutional imperative, a safeguard of legal certainty, and a cornerstone of public trust in the judiciary. In Nigeria, the challenges posed by ambiguous and poorly reasoned judgments are profound, affecting everything from doctrinal coherence to democratic legitimacy. This article has explored the conceptual foundations of judicial clarity, examined comparative practices across jurisdictions, analysed case studies that illustrate the consequences of ambiguity, and proposed actionable reforms aimed at enhancing the quality of judicial decision-making. The comparative analysis reveals that judicial precision is achievable through deliberate institutional design, sustained professional development, and a culture of accountability. Jurisdictions such as Canada, South Africa, and the United Kingdom have demonstrated that clarity in judicial reasoning can be cultivated through structured training, editorial support, and public engagement. These models offer valuable lessons for Nigeria, which must confront its own systemic constraints, ranging from heavy caseloads and limited resources to inconsistent judgment formats and inadequate training. The case studies presented in this article underscore the real-world impact of judicial ambiguity. From electoral disputes that provoke public outrage to doctrinal missteps that result in miscarriages of justice, the consequences of unclear reasoning are far-reaching. They erode confidence in the judiciary, complicate legal practice, and undermine the rule of law. Conversely, judgments that are clear, structured, and accessible can empower citizens, guide legal actors, and reinforce institutional legitimacy. The imperative of judicial precision in Nigeria demands a multifaceted reform strategy that addresses institutional design, professional development, and public engagement.

Drawing on comparative insights and domestic challenges, this section proposes a series of recommendations aimed at enhancing the clarity, coherence, and accessibility of judicial decisions. These reforms are not merely aspirational; they are essential to restoring public trust, improving legal certainty, and strengthening the rule of law. Institutional reform is the cornerstone of any effort to improve judicial precision. One of the most pressing needs is the establishment of judicial clerks and research units within all Nigerian courts. In many jurisdictions, law clerks play a vital role in assisting judges with legal research, doctrinal analysis, and drafting. Their presence allows judges to focus on substantive reasoning while ensuring that judgments meet high standards of clarity and coherence. Nigeria's judiciary, however, operates largely without such support, placing undue pressure on judicial officers and contributing to the prevalence of ambiguous decisions. Introducing clerks at the appellate and constitutional levels, beginning with pilot programmes in high-volume courts such as the Court of Appeal and the Supreme Court, could significantly improve judgment quality.

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[98] Akin Oyebode, 'The Imperative of Judicial Clarity in Nigerian Jurisprudence' (2008) 2 *Nigerian Law Journal* 45, 47.
[99] Ayo Olanrewaju, 'Judicial Delays and the Crisis of Access to Justice in Nigeria' (2021) *Nigerian Journal of Law and Policy* 14(2) 45–67.
[100] *Leadership Newspaper*, 'Labour Party Crisis Deepens as Court Orders Clash' (3 August 2025) https://leadership.ng/labour-party-crisis-deepens-as-court-orders-clash/ accessed August 15 2025.

Complementing this reform is the need for editorial review mechanisms. Peer review systems, in which senior judges provide feedback on draft judgments before publication, can enhance analytical depth and consistency. Internal editorial guidelines should be developed to standardise judgment structure and language, promoting uniformity across courts. Collaborative drafting in complex cases may also be encouraged, allowing multiple judges to contribute to the reasoning process and reduce the risk of oversight or ambiguity. Standardisation of judgment format is another critical area. The adoption of judgment templates that include clearly demarcated sections for facts, legal issues, analysis, and conclusions would promote logical structure and facilitate comprehension. A judicial style guide, modelled on those used in jurisdictions such as Canada and Australia, could further reinforce best practices in legal writing. Such a guide should emphasise plain language, audience awareness, and the avoidance of archaic legalese, which often obscures meaning and alienates non-specialist readers. Training judges and court staff in the use of these tools would be essential to their effective implementation. Judicial education and training must also be reimagined. Legal writing and reasoning should be integrated into every national workshop organized by the National Judicial Institute (NJI) for both superior and lower courts, with specialised modules on plain language, comparative drafting techniques, and audience engagement. Simulated judgment exercises, peer feedback, and interdisciplinary workshops can reinforce these skills and promote a culture of excellence. Continuing professional development (CPD) should be mandatory, requiring judges to complete annual training hours focused on decision-making and legal communication. Partnerships with universities and international organisations could enhance the quality and diversity of training programmes.

Mentorship and peer learning offer additional avenues for professional growth. Junior judges should be paired with experienced adjudicators through structured mentorship programmes, fostering knowledge transfer and ethical guidance. Judgment review sessions and judicial colloquia can facilitate peer learning, allowing judges to reflect on their reasoning and receive constructive feedback. These initiatives would not only improve individual performance but also cultivate a collective commitment to clarity and accountability. Transparency and public engagement are equally vital. All judgments should be published online in searchable, user-friendly formats, accompanied by plain language summaries that make key decisions accessible to the public. Landmark judgments should be translated into major Nigerian languages to broaden access and promote civic education. A judicial communication strategy should be developed to guide media engagement and public explanation of complex rulings. Judges must be trained in responsible communication, recognising that clarity in judicial decisions is essential to public trust and democratic legitimacy. Feedback and evaluation mechanisms can further strengthen judicial performance. Channels should be created for lawyers, academics, and the public to provide feedback on judicial decisions, with periodic evaluations conducted through anonymized peer review. These assessments can inform training curricula, editorial standards, and institutional reforms, ensuring that the judiciary remains responsive to evolving expectations and challenges.

Nigeria can learn from global best practices. Canada's lifelong judicial education and peer review systems, South Africa's commitment to plain language and constitutional clarity, the United Kingdom's structured reasoning and doctrinal transparency, and Australia's interdisciplinary writing programmes all offer valuable models. These jurisdictions demonstrate that judicial clarity is not a luxury but a product of deliberate design, sustained investment, and cultural transformation. In sum, the recommendations outlined above provide a roadmap for enhancing judicial precision in Nigeria. Reform must be holistic, addressing individual capacity, institutional architecture, and public engagement. Only through such comprehensive efforts can the judiciary fulfil its constitutional mandate and uphold the principles of justice, transparency, and accountability.