LEGAL PROFESSION AND THE CRISIS OF ETHICS IN AFRICA: THE WAY FORWARD

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Abstract

The legal profession in Africa stands at a critical crossroads, facing a profound ethical crisis that threatens its very foundations. Once revered as the guardian of justice and the rule of law, the profession now struggles under the weight of corruption, professional misconduct, political interference, and a growing erosion of public trust. This article critically examines the ethical dilemmas confronting lawyers and judicial officers across the continent, situating them within broader socio-political realities marked by fragile institutions, economic pressures, and cultural complexities. It highlights how weakened ethical standards obstruct access to justice, deepen inequality, and undermine confidence in legal systems. By exposing both systemic shortcomings and individual failings, the paper emphasizes the urgent need to revitalise professional values, strengthen regulatory frameworks, and renew the profession's commitment to integrity. Ultimately, it contends that restoring ethical consciousness within the legal profession is not merely a professional obligation but a moral imperative essential to Africa's quest for justice, equity, and sustainable development. The paper concludes that to restore professionalism and ethics, African countries must prioritise and reinforce disciplinary mechanisms, embed

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ethics at the core of legal education from the outset, and provide continuous training for judges and lawyers.

Keywords: Ethics, Justice, Legal Profession, Public Trust, and Rule of Law

1.0 INTRODUCTION

The legal profession in Africa is remarkably diverse, shaped by indigenous traditions, colonial legacies, and modern reforms. It reflects the interplay of received legal frameworks, local customary practices, and ongoing modernisation, reflecting both Africa's complex history and its adaptation to globalisation, technology, and evolving social realities. Colonial legacies continue to shape Africa's legal institutions, education, and judicial procedures. Former British colonies such as Nigeria, Kenya, and Ghana adopted common law systems grounded in judicial precedent and adversarial practice, while French colonies like Senegal and Côte d'Ivoire embraced civil law traditions that emphasize codified statutes and centralized authority. In contrast, Portuguese and Belgian territories, including Angola, Mozambique, and the Democratic Republic of Congo, developed hybrid systems that blend European codes with indigenous customs. Over time, African legal professions have evolved. South Africa, for instance, operates a bifurcated model that separates attorneys and advocates, whereas Nigeria follows a fused system in which lawyers act as both solicitors and advocates, offering a more integrated approach to legal practice. These variations highlight both the enduring imprint of colonial structures and the continent's ongoing efforts to adapt and reform its legal landscape in response to contemporary realities.

2.0 THE NEXUS BETWEEN LAW, ETHICS, AND LEGAL PROFESSION

The relationship between law, ethics, and the legal profession is mutually reinforcing, forming the foundation of justice systems worldwide.[1] While the law provides the codified framework that regulates conduct and sustains order, ethics serves as the moral compass, guiding practitioners toward honesty, fairness, and responsibility where the law is silent or insufficient. Both law and ethics operate as normative systems that shape human conduct. Law often incorporates moral principles such as good faith, prohibition of unjust enrichment, and civil liability.[2] Their distinction lies in their purpose and origin: law maintains social order and derives authority from the State, while ethics cultivates character and stems from religious or secular traditions.[3] Moral standards are unwritten, shaped by public opinion, while legal norms are formally enacted and subject to legislative change.[4] Together, they form complementary systems that influence both society and the individual, with moral codes enduring across generations and legal rules providing structured enforcement.[5] Lawyers and judges bear a moral duty to uphold public trust by ensuring that justice is both ethically sound and legally defensible. In this dual capacity, the legal profession stands as a guardian of rights, a defender of democratic values and a cornerstone of civil society.

3.0 THE CRISIS OF ETHICS IN THE LEGAL PROFESSION

Traditionally seen as the defender of justice, the legal profession in Africa now faces serious ethical challenges. Corruption, bribery, and misconduct

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[1] JE Jessah, Balancing Legal Ethics, Professionalism and Lawyers' Obligation in Modern Nigeria. **(**2025) African Journal of Law, Ethics and Education (AJLEE) Vol. 5, Issue I, [ISSN: 2756 – 6870]

[2] Jessah (n. 1) 46

[3] Georgeta-Bianca Spîrchez, "The Relation between Ethics and Law" (2016) 1 Fiat Iustitia196.

[4] VS Bădescu, Etica în Afaceri (Business Ethics), (Pro Universitaria Publishing House, 2014) 132 cited in Spîrchez (n 3) 195.

[5] Ibid.

among lawyers and judges have eroded public trust and weakened the rule of law.[6] Equally threatened are commitments to fairness, impartiality, accountability, and transparency,[7] all of which undermine the credibility of the profession in the estimation of the public. To remain relevant as a pillar of justice, the legal profession must recommit itself to ethical responsibility. Below are some of the ethical crises currently confronting the legal profession in Africa:

a. Corruption and Misconduct: Corruption and misconduct have become deeply rooted problems in many African legal systems, posing serious threats to justice delivery. Corruption, in particular, is widely acknowledged as a major obstacle to the creation of a favourable environment for good governance.[8] It has infiltrated almost every aspect of governance, including the judiciary. The African Bar Association has repeatedly warned that corruption and misconduct among lawyers and judges have undermined public trust in the judiciary, emphasizing that ethical responsibility is crucial if the profession is to continue being a pillar of justice.[9] Echoing this concern, *Osinbajo,* a respected legal scholar and former Vice President of Nigeria, lamented that "the legal profession is crumbling under the weight of corruption, ethical violations, and poor standings. Stories of counsel acting as intermediaries for bribe gifts to judicial officers are common. The perception that our justice system is corrupt and that the bar and bench are responsible causes significant damage."[10] Corruption within the legal profession is not isolated; it is

[6]B Miller, The Dark Side: Corruption Cases That Rocked African Judiciaries, Legal Africa, April 28, 2025 <https://legalafrica.org/the-dark-side-corruption-cases-that-rocked-african-judiciaries/> accessed 29 January, 2026

[7] African Bar Association, Legal ethics and professional responsibility in Africa. African Bar Association Report, 2023.

[8] African Governance Report 2005, Economic Commission for Africa, p.148.

[9] Ibid.

[10] The Guardian Nigeria, Nigeria's legal system crumbling under corruption, ethics violations – Osinbajo. May 17 2025. Retrieved from <https://guardian.ng/news/nigerias-

systemic. High-profile cases from Kenya to Nigeria, and from Zimbabwe to Malawi, highlight the severity of this crisis across Africa.[11] These examples serve as stark reminders that corruption is not limited to individual acts but points to deeper structural issues that must be addressed. Without decisive action, the erosion of ethics in the legal field risks undermining judicial integrity, weakening accountability, and ultimately destabilising the rule of law and democratic governance in Africa. Restoring trust requires a firm commitment to integrity, ethical rectitude, and accountability at every level of the justice system.

b. Weak Disciplinary Mechanisms: Weak or ineffective disciplinary systems damage public trust in justice. Complaints against legal practitioners are often ignored, delayed, or receive only superficial sanctions, fostering a culture of impunity. This leniency suggests the profession protects its own instead of upholding justice, which erode trust, fairness, and moral authority.[12] To rebuild credibility, transparent procedures, independent oversight, and consistent enforcement of ethical standards are crucial.[13] Only by confronting misconduct decisively can the profession restore credibility, strengthen the rule of law, and reaffirm its commitment to serving society with integrity and fairness.

c. Poor Remuneration and Economic Pressures: Inadequate pay and funding compromise judicial independence, encourage bribery, and weaken credibility.[14] Judges, magistrates, and lawyers operating under conditions of financial insecurity, especially amid escalating economic pressures, are

legal-system-crumbling-under-corruption-ethics-violations-says-osinbajo/> accessed 30 January, 2026

[11] See Transparency International, Global Corruption Report: Judicial Systems in Africa, 2023.

[12] African Bar Association (n. 7)

[13] Jessah (n. 1) 47

[14] See International Commission of Jurists, Strengthening judicial independence in Africa. ICJ Report, 2017. See also Transparency International, Global corruption report: Judicial systems in Africa. Transparency International, 2023.

more vulnerable to bribery and other forms of misconduct. The lack of adequate compensation and retirement benefits further discourages highly skilled and principled individuals from pursuing or remaining in judicial careers. Many skilled graduates pursue private or international opportunities, leaving courts understaffed.[15] Addressing these challenges requires sustainable improvements in salaries, infrastructure, and continuous professional development, all of which are essential to strengthen the judiciary and restore its integrity.

d. Political Interference: Political influence continues to compromise judicial independence across Africa. Executive pressures, patronage, and partisan interests often reduce courts to extensions of the ruling elites, as seen in countries like Zimbabwe and Sudan. Even relatively stable democracies face covert interference, raising doubts about judicial neutrality.[16] When judicial decisions appear to reflect the preferences of those in power rather than the principles of law, the credibility of the entire justice system is called into question.[17] This erosion of autonomy undermines legitimacy, discourages citizens from seeking justice, and fuels cynicism about the rule of law.[18] Restoring confidence in the judiciary requires robust safeguards against political interference. Stronger constitutional protections, transparent appointment processes, and independent oversight mechanisms are crucial. Only by insulating the courts from undue influence can they fulfill their role as impartial defenders of rights, checks on executive power, and cornerstones of democratic governance.[19]

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[15] African Bar Association (n. 7)

[16]S Mensah, Unveiling judicial ethics across Africa, June 16 2025. Legal Africa. Retrieved from <https://legalafrica.org/unveiling-judicial-ethics-across-africa/> accessed 29 January, 2026

[17] ICJ Report (n. 16)

[18] See United Nations Office on Drugs and Crime, The global judicial integrity report. UNODC, 2011.

[19] African Leadership Magazine, Judicial independence: The guardrails of African democracy, 2024. Retrieved from

e. Love for Money and erosion of core Professional Values: The legal profession's duty to justice and the public good is increasingly overshadowed by the quest for financial gain. Weak mentorship and poor ethical guidance leave young lawyers vulnerable to viewing law as a transactional rather than a service-oriented profession. Many enter the profession ill-prepared to confront the complex moral dilemmas inherent in legal work, seeing it primarily as a means of profit rather than a vocation rooted in service and responsibility.[20] The consequences of this ethical erosion are far-reaching. Citizens increasingly perceive courts and lawyers as self-serving rather than impartial and noble. Reversing this negative trajectory requires deliberate investment in mentorship, ethical education, and professional accountability.[21] Law schools, bar associations, and senior lawyers must take responsibility for cultivating a culture of integrity that places service to society above personal gain.

f. Outdated Legal Education and Training: Many African law schools still rely on outdated colonial curricula that are largely disconnected from modern realities.[22] Emerging fields such as technology law, digital governance, and international frameworks are neglected, while overcrowding and limited practical training undermine instruction. As a result, graduates frequently emerge with strong theoretical foundations but insufficient practical skills, leaving them unprepared for the demands of modern legal practice. Equally concerning is the neglect of continuing legal education (CLE), which is essential for practitioners to update their

<https://www.africanleadershipmagazine.co.uk/judicial-independence-the-guardrails-of-african-democracy/> accessed 30 January, 2026

[20] Jessah (n. 1)

[21] Ibid.

[22] CM Fombad, Legal Education in Africa: The Challenges and Opportunities. (2017) Journal of Legal Education, 66(3), 586–619.

knowledge and adapt to evolving demands.[23] Without structured opportunities for lifelong learning, many lawyers struggle to keep pace with developments in areas such as cybercrime, intellectual property, environmental law, and cross-border commercial transactions.[24] Addressing these shortcomings requires comprehensive reform, modernizing curricula, investing in infrastructure, and institutionalising continuing legal education as a professional obligation.

g. Technology and Globalisation Pressures: Globalisation and digital transformation demand expertise in international law, technology, and multidisciplinary skills. Yet many institutions remain anchored to outdated colonial models, leaving graduates ill-equipped to compete in the global legal marketplace.[25] At the same time, the rapid growth of digital platforms, virtual law firms, and online dispute resolution has transformed the delivery of legal services worldwide. African law schools, however, often provide insufficient training in technology law, digital governance, cybersecurity, and ICT tools, creating a significant skills gap. Traditional curricula which emphasize theory over practice, neglecting essential areas such as digital literacy, multidisciplinary competencies, and technological adaptability, must be replaced.[26] Without comprehensive reform, modernized programs, investment in technology, and practical training, African lawyers risk falling behind in the international legal arena.

h. Mental Health Concerns: Studies show that nearly 70% of legal professionals worldwide struggle with mental health challenges, ranging from chronic stress and anxiety to burnout and depression.[27] While the

[23] Council on Legal Education in Nigeria, Report on legal education reform in Nigeria. Abuja: CLE, 2020.
[24] M Mutua, African legal education in the age of globalization. (2011) Indiana Journal of Global Legal Studies, 18(1), 155–170.
[25] Fombad (n. 22)
[26] Ndulo M, Legal education in Africa: A challenge and opportunity. (2002) Journal of African Law, 46(2), 215–229
[27] E Ansah, 70% of legal professionals face mental health challenges - Why Africa must break its silence now. Legal Africa, July 11 2025. <https://legalafrica.org/70-of-legal-

pressures of the profession are universal, the situation in many African jurisdictions is further compounded by lingering colonial-era legacies that emphasize rigid hierarchies, excessive workloads, and unrealistic expectations of perfection.[28] These outdated norms foster environments where mistakes are stigmatized, long hours of work are celebrated, and professional worth is measured against unattainable standards. The cumulative effect is a culture of silence and endurance, in which lawyers and judges often feel compelled to suppress vulnerability rather than seek support.[29] This reality not only jeopardizes individual well-being but also undermines the quality of justice delivered, as impaired mental health can compromise decision-making, ethical judgment, and professional effectiveness.[30] Addressing this requires a cultural shift toward wellness and improved humane working conditions, and the dismantling of outdated norms that perpetuate unhealthy practices.

i. Intrusion by Non-Lawyers: The growing involvement of non-lawyers, such as paralegals, corporate consultants, compliance officers, and alternative legal service providers (ALSPs), is increasingly challenging the traditional monopoly long held by the legal profession.[31] Today, 57% of corporate law departments globally rely on ALSPs for services such as

professionals-face-mental-health-challenges-why-africa-must-break-its-silence-now> accessed 28 January, 2026

[28] Ibid.

[29] S Ayidan, Mental health in African law: Breaking the colonial stress. Legal Africa, June 25 2025. <https://legalafrica.org/mental-health-in-african-law-breaking-the-colonial-stress/> accessed 29 January, 2026

[29] Ibid.

[30] DK Kip, Burnout in the legal profession in Africa: A growing mental health concern. The Loyal Nigerian Lawyer, November 4 2024. <https://loyalnigerianlawyer.com/burnout-in-the-legal-profession-in-africa-a-growing-mental-health-concern/> accessed 30 January, 2026

[30] Ibid.

[31] Thomson Reuters, Alternative Legal Services Providers Report, 2025. <https://www.thomsonreuters.com/en-us/posts/wp-content/uploads/sites/20/2025/01/ALSP-Report-2025.pdf> accessed 30 January, 2026

eDiscovery, litigation support, and flexible resourcing.[32] On one hand, this trend expands access to legal assistance and introduces innovative approaches to problem-solving. Non-lawyers can help bridge gaps in access to justice, particularly in underserved communities where the cost of hiring a lawyer may be prohibitive.[33] On the other hand, the absence of clear regulatory frameworks risks creating inconsistencies in service quality and blurring the lines of professional responsibility.[34] Concerns about confidentiality, accountability, and ethical standards become more pronounced when individuals without formal legal training assume roles traditionally reserved for qualified practitioners.[35] Establishing clear boundaries, accreditation systems, and oversight structures will be essential to ensure that the expansion of legal services enhances, rather than undermines, the credibility and effectiveness of the justice system.

3. SOME EXAMPLES ACROSS AFRICA

Across Africa, numerous examples reveal ethical breaches within the legal profession, implicating both practitioners at the bar and judges on the bench. These transgressions have not only tarnished the reputation of the profession but also eroded public confidence in the justice system. The range of misconduct is extensive, encompassing professional negligence, client exploitation, and abuse of judicial authority. However, two areas stand out as particularly pressing and consequential: *corruption,* which distorts justice and entrenches inequality, and *the erosion of judicial independence***,** which undermines constitutional governance and the rule of law. Together, these challenges expose systemic weaknesses and highlight

[32] Ibid.
[33] American Bar Association, Report on the future of legal services in the United States. American Bar Association. (2020. <https://www.americanbar.org/groups/centers_commissions/center-for-innovation/future-of-legal-services/> accessed 30 January, 2026
[34] Ibid.
[35] Ibid.

the pressing need for reform to safeguard integrity and restore confidence in the justice system.

3.1 Corruption:

Corruption is a global phenomenon that consistently undermines the rule of law and the fair administration of justice. However, in Africa, its impact has been particularly severe and far-reaching, with judges and lawyers implicated in many unethical practices that distort proceedings and erode public trust in the judiciary. The cumulative effect is a justice system losing credibility, leaving citizens doubtful of its ability to deliver impartial justice. High-profile scandals across the continent underscore the depth of this crisis and the urgent need for reform. Notable examples include:

i. **Kenya:** The *"Wakulima Market"* scandal in Kenya offers a stark illustration of the scourge of judicial corruption in Africa. Emerging in the early 2000s, it exposed the depth of malpractice that had compromised Kenya's judiciary. When *Chief Justice J.E. Gicheru* assumed office in 2003, he inherited a system riddled with corruption. The notorious saying, *"why hire a lawyer when you can buy a judge,"* captured the grim reality of the time, when many judges were perceived as *"the best judges that money can buy."*[36] A government-commissioned inquiry, known as the *Ringera Report*, accused numerous judges and magistrates of bribery, case-fixing, and abuse of office. The scandal soon became infamously known as the "Wakulima Market" scandal, a name that reflected the disturbing marketplace character of justice, where verdicts were effectively bought and sold. Several senior judges were suspended in its aftermath, but the damage to public confidence in the judiciary was already profound and lasting.[37]

[36] United Nations Office on Drugs and Crime, Report of the Fourth Meeting of the Judicial Integrity Group, Vienna, 27-28 October, 2005, p. 6.

[37] B Miller, The Dark Side: Corruption Cases That Rocked African Judiciaries, Legal Africa, April 28, 2025 <https://legalafrica.org/the-dark-side-corruption-cases-that-rocked-african-judiciaries/> accessed 30November 2025.

Concerns about accountability persisted well beyond this episode. In 2018, Deputy Chief Justice *Philomena Mwilu* was arrested on allegations of corruption, abuse of office, and tax evasion. Although the charges were later withdrawn, the case reignited fears about integrity at the highest levels of Kenya's judiciary. By May 2024, Kenyan courts were presiding over 22 active corruption cases, many involving senior government officials and public servants. Reports continued to highlight the judiciary as a hotspot for corrupt practices, including bribery and obstruction of justice.[38] In response to these persistent challenges, Chief Justice Martha Koome unveiled a multi-agency anti-corruption strategy in March 2025. By forging partnerships with the national anti-corruption commission and intelligence services, the initiative sought to strengthen judicial integrity and restore public trust in Kenya's justice system.[39]

ii. Ghana: In 2015, Ghana's judiciary was shaken to its core by one of the most sensational corruption scandals in African legal history. Investigative journalist *Anas Aremeyaw Anas* released a series of covert recordings that exposed more than thirty judges allegedly accepting bribes to manipulate judicial outcomes. The revelations were startling: judges were captured on camera openly negotiating verdicts in exchange for envelopes stuffed with cash, material gifts, and even promises of livestock such as goats and yams.[40] The fallout was swift and severe. Over twenty judges were either dismissed or compelled to retire, marking an unprecedented purge within Ghana's judicial system. Beyond the immediate disciplinary measures, the scandal

[38] The Conversation, Kenya's courts are corruption hotspots: Radical actions the Chief Justice must take, March 10 2025. <https://theconversation.com/kenyas-courts-are-corruption-hotspots-radical-actions-the-chief-justice-must-take-253753> accessed 30 January, 2026
[39] Ibid.
[40] Miller (n. 37)

ignited a nationwide debate on ethics, accountability, and the integrity of public institutions. It underscored the vulnerability of the judiciary to corruption and highlighted the urgent need for reforms aimed at restoring public trust. To this day, the episode stands as one of Africa's most prominent exposures of judicial misconduct, serving both as a cautionary tale and as a catalyst for broader conversations on transparency, professional responsibility, and the safeguarding of justice across the continent. More recently, the Ghanaian Office of the Special Prosecutor (OSP) disclosed that it is investigating over 150 corruption cases, some of which implicate judicial officials. Allegations include irregularities in the sale and lease of state-owned lands and properties, transactions that often fall under judicial oversight. These findings have heightened concerns about possible judicial complicity in corruption linked to land administration, further underscoring persistent vulnerabilities within Ghana's justice system.[41]

iii. Nigeria: In 2016, Nigeria's judiciary was rocked by an unprecedented development when the Department of State Services (DSS) carried out late-night raids on the homes of several senior judges, accusing them of bribery, corruption, and gross misconduct. The operation uncovered shocking evidence: large sums of cash in both naira and foreign currencies were found in the residences of some judges, raising grave concerns about the integrity of the judiciary. In the aftermath, *Justices Adeniyi Ademola and Rita Ofili-Ajumogobia* of the Federal High Court were arrested and arraigned on charges of bribery and money laundering. Although both were later acquitted, the episode cast a long shadow over the judiciary, intensifying public doubts about accountability and the ethical conduct of judicial officers. While critics debated the legality and constitutionality of the raids, the revelations

[41] Office of the Special Prosecutor, Half-year report on corruption investigations in Ghana. Accra: OSP, 2024. <https://thehighstreetjournal.com/ghana-osps-half-year-report-key-investigations-into-corruption/> accessed 30 January, 2026

left little doubt about the depth of corruption within the judicial system. The scandal had profound consequences. Public confidence in the judiciary's credibility was severely shaken, with many Nigerians questioning whether justice was truly blind or simply available to the highest bidder. Although government officials pledged reforms to restore integrity, lingering suspicions continued to undermine trust in the courts and their ability to deliver fair outcomes.[42] Further evidence of systemic corruption emerged in 2024, when a comprehensive study on *Judicial Bribery and Procurement Fraud in Nigeria* documented widespread unethical practices among judges. The research revealed not only bribery in adjudication but also procurement fraud within court administration, underscoring how corruption had permeated multiple layers of the justice system. These findings reinforced public concerns that judicial misconduct was not isolated but entrenched, weakening the rule of law and eroding confidence in justice delivery.[43] Together, these episodes illustrate the scale of Nigeria's judicial integrity crisis and highlight the urgent need for sustained reforms that prioritize accountability, transparency, and ethical responsibility.

iv. **Malawi:** The 2013 '*Cashgate'* scandal, though primarily centered on the massive theft of public funds by government officials, also exposed deep structural weaknesses within Malawi's judicial system. Investigations revealed that several court officials were implicated in bribery and the mishandling of trials connected to the scandal, raising troubling questions about whether powerful suspects could ever be held truly accountable. The revelations struck at the heart of public confidence in the judiciary. For many Malawians, the courts came to be seen not as instruments of justice but as complicit actors in a cycle of

[42] Ibid.

[43] LK Hoffmann, Tackling judicial bribery and procurement fraud in Nigeria: How harnessing public disapproval can enable collective action against corruption, Research Paper, London: Royal Institute of International Affairs, 2024. <https://doi.org/10.55317/9781784136239> accessed 30 January, 2026

corruption and impunity. This perception intensified demands for sweeping reforms, not only within prosecutorial services but also across the adjudication process. Citizens, civil society groups, and international observers alike called for stronger safeguards to ensure judicial independence, greater transparency in case management, and stricter accountability mechanisms for judges and court officials. Ultimately, *Cashgate* became more than a financial scandal; it was a turning point that underscored the urgent need to rebuild trust in Malawi's justice system.[44]

More recently, in October 2024, Malawian lawyer *Alexious Kamangila* publicly raised allegations of judicial misconduct through social media, sparking widespread debate about integrity within the courts. In response, the Judicial Service Commission (JSC) launched a formal investigation into judges and court officials accused of corruption. Among those scrutinized was *Judge Ken Manda,* who became a central figure in the probe following specific corruption-related allegations.[45] These episodes highlighted a sobering reality: without integrity and reform in both prosecution and adjudication, the fight against corruption will remain incomplete, and the promise of equal justice under the law will continue to elude the nation. In the wake of these scandals, demands for reform have intensified, with growing emphasis on judicial accountability, transparency, and independence.

v. **South Africa:** South Africa has also had its fair share of judicial scandals, each exposing troubling weaknesses in accountability and integrity within the justice system. In 2008, *Justice John Hlophe*, Judge President of the Western Cape High Court, was accused of trying to influence Constitutional Court judges in politically sensitive cases. The

[44] Ibid.

[45]C Nebe, C Padatha, and J Mahachi, Malawi's judiciary faces corruption investigation, Deutsche Welle, 13th November, 2024. <https://www.dw.com/en/malawis-judiciary-faces-corruption-investigation/a-70765149> accessed 29 January, 2026

prolonged, politically charged proceedings became a symbol of how unresolved accusations erode public confidence in the judiciary. For many South Africans, the episode reinforced perceptions of a justice system vulnerable to manipulation and incapable of holding its own leaders fully accountable.[46] Earlier on in 2007, *Judge Nkola Motata's* drunk driving conviction and later corruption-related misconduct further underscored the dangers of ethical lapses among judges and their corrosive effect on public trust.[47] More recently, in November 2025, *Judge Portia Dipuo Phahlane* was arrested by the Hawks' Serious Corruption Investigation team over multimillion-rand bribery allegations in a church succession dispute. Civil society groups demanded her resignation, and *Chief Justice Mandisa Maya* had to place her on special leave pending suspension. The case has since become emblematic of the growing concerns about corruption within the judiciary and the urgent demand for accountability and reform.[48] Together, these cases reveal how political interference and personal corruption weaken the judiciary's moral authority. They highlight the urgent need for stronger accountability mechanisms, transparent disciplinary processes, and renewed commitment to ethical standards to safeguard South Africa's justice system.

vi. **Uganda:** In 2024, Ugandan media described the year as a "year of scandals" for the judiciary.[49] Reports highlighted politically sensitive trials, questionable rulings, and widespread allegations of corruption that raised serious doubts about judicial independence and

[46] Miller (n. 37)
[47] Ibid.
[48] T Shomolekae, High Court Judge placed on special leave amid corruption scandal, Creamer Media, 27th November, 2025. <https://www.polity.org.za/article/high-court-judge-placed-on-special-leave-amid-corruption-scandal-2025-11-27> accessed 29 January, 2026
[49]D. Ssubi, A year of scandals, and turning points in judiciary. The Observer, December 30, 2024. <https://observer.ug/news/a-year-of-scandals-and-turning-points-in-judiciary/> accessed 30 January, 2026

transparency.[50] From the Katanga murder trial to the Mpuuga scandal, troubling questions emerged about the judiciary's ability to manage complex homicide cases and politically charged disputes. Citizens frequently reported delayed judgments, unfair rulings, and demands for bribes, reinforcing the perception that justice in Uganda is often "for sale." The *Uganda Law Society* revealed that prisoners' files were routinely "misplaced" when presented before magistrates, a tactic used to extract bribes from detainees.[51] Further evidence of systemic misconduct was documented in a study published in the *African Journal of Public Affairs*, which examined corruption within the Buganda Road and Mukono Magistrates' Courts. The research uncovered pervasive practices of bribery, favouritism, and case manipulation. Litigants were often compelled to pay informal fees to hasten proceedings or secure favourable judgments, underscoring the entrenched nature of corruption in these courts.[52] The findings highlighted how corruption directly undermines the administration of justice and erodes public confidence. Broader analyses confirm that corruption in Uganda's judiciary is not confined to isolated incidents but reflects deep systemic weaknesses that continue to compromise the credibility of the justice system.

vii. **Tanzania:** Corruption within Tanzania's judiciary has been extensively documented, with evidence ranging from bribery and favouritism in magistrates' courts to broader systemic failures across the justice system. Independent studies consistently underscore how such misconduct undermines the delivery of justice and erodes public confidence in the courts. The *Prevention and Combating of Corruption*

[50] Ibid.

[51] Deepening the Judiciary's Effectiveness in Combating Corruption, UN Economic Commission for Africa (ECA), p. 10.

[52] J Atukwasa, BC Basheka, & PW Gadenya, The effect of corruption on administration of justice in Uganda: Lessons from two chief magistrates' courts in Kampala and Mukono districts. (2012) African Journal of Public Affairs, 5(3), 85–99.

Bureau (PCCB) has played a central role in investigating judicial officials implicated in wrongdoing. In 2023 alone, the PCCB uncovered 21 major corruption cases, some involving judges and court administrators.[53] A 2020 review of corruption in Tanzania further noted that the judiciary was among the sectors most affected, with bribery and favouritism common in case handling.[54] One respected judge on the Court of Appeal recounted an incident in which a High Court judge demanded one million shillings in exchange for a favourable decision.[55] He added that clerks and support staff often operated their own rackets, telling litigants: *"If you want the favour of a judge, you must offer a figure commensurate to his stature."* Such revelations highlight the depth of corruption entrenched within the system.[56] In an effort to curb these practices, Tanzania established a special division of the High Court dedicated to handling corruption and economic crimes. Judgments issued by this division have exposed recurring instances of bribery, fraud, and abuse of office, demonstrating both the judiciary's critical role in prosecuting corruption and the vulnerabilities that persist within its own ranks.

The above examples are by no means exhaustive; they merely provide a snapshot of the pervasive corruption that has infiltrated judicial systems across Sub-Saharan Africa. Importantly, corruption is not confined to the judiciary alone, lawyers, too, have been found culpable. In Zimbabwe, a 2024 report titled *"Betraying the Robe"* exposed widespread malpractice among lawyers, including double-dipping (charging multiple clients for the

[53]R Mirondo, Tanzania anti-corruption body says uncovered 21 major cases. The Citizen, March 28, 2024. <https://www.thecitizen.co.tz/tanzania/news/national/tanzania-anti-corruption-body-says-uncovered-21-major-cases-4571780> accessed 30 January, 2026
[54]Mandenge, Report of Corruption in Tanzania as of 2020. The United Republic of Tanzania, November 6, 2022 <https://unitedrepublicoftanzania.com/government-of-tanzania-and-the-society/education-in-tanzania-system/laws-of-tanzania/report-of-corruption-in-tanzania-as-of-2020/> accessed 30 January, 2026
[55] Ibid.
[56] Ibid.

same case), misuse of confidential information, and collusion with corrupt officials to obstruct justice.[57] Likewise, in Nigeria, the legal profession has repeatedly come under close scrutiny for its role in enabling corruption. A 2023 report revealed how certain lawyers actively facilitated misconduct by manipulating court processes and shielding powerful elites and political figures from accountability, thereby undermining the rule of law.[58] Analysts argue that corruption within the justice system has entrenched inequality, allowing the wealthy and influential to shape judicial outcomes in their favour. This is often achieved through bribing judges and prosecutors to secure advantageous rulings. As a result, many elites and politicians operate with impunity, confident that their financial resources and political clout can insulate them from the consequences of wrongdoing.[59]

3.2 Political Interference:

Across Africa, judiciaries are often accused of vulnerability to political influence, with ruling elites pressuring judges to serve partisan interests rather than uphold the rule of law. Such interference undermines judicial independence, weakens the separation of powers, and erodes public confidence in courts as impartial arbiters of justice.[60] Kenya illustrates this challenge. In 2021, former President Uhuru Kenyatta refused to swear in six judges recommended by the Judicial Service Commission, a move widely condemned as executive overreach. *Chief Justice David Maraga*, who nullified the 2017 presidential election, later faced hostility, budget cuts, and threats, sending a clear warning that judges who challenge

[57] T Mupasiri, Betraying the Robe: The Crisis of Unscrupulous Lawyers in Africa, Iniafrica, November 16 2024 <https://iniafrica.com/betraying-the-robe-the-crisis-of-unscrupulous-lawyers-in-africa/> accessed 1 December 2025.

[58] T Aderoju, The impact of corruption on the rule of law and the effective administration of justice using Nigeria as a case study, International Bar Association, 28 April, 2023 <https://www.ibanet.org/impact-of-corruption-on-rule-of-law-Nigeria> accessed 29 January, 2026

[59] Ibid.

[60] ICJ Report (n. 14)

powerful interests risk retaliation.[61] Nigeria also offers a parallel case in the experience of *Justice Ayo Salami* who was abruptly removed as President of the Court of Appeal over alleged election interference. Though cleared of wrongdoing, the government's refusal to reinstate him fueled suspicions of political maneuvering.[62] Analysts argue that "high-wire politics" drove this decision, reflecting a broader disregard for judicial independence. Critics further contend that the National Judicial Council (NJC) has vacillated in its stance, thereby eroding confidence in judicial governance and reinforcing perceptions of a compromised judiciary.[63]

4. ADDRESSING THE ETHICAL CRISIS

The ethical crisis confronting the legal profession in Africa is far more than an internal professional challenge; it is a pressing societal imperative. Left unchecked, it threatens justice, democracy, and public confidence in the rule of law. Addressing this crisis is therefore not optional but essential, for several compelling reasons:

a. Preserving Public Confidence: The legitimacy of the judiciary and the wider legal profession rests fundamentally on the trust and confidence of the public. Courts and lawyers derive their authority not merely from statutes or constitutions, but from society's belief that justice will be administered fairly, impartially, and without prejudice.[64] When corruption, misconduct, or political interference dominate judicial outcomes, this

[61] B Miller, The Robed Compromised: Can Africa's Judges truly stand above corruption? Legal Africa, April 21, 2025 <https://legalafrica.org/the-robed-compromise-can-africas-judges-truly-stand-above-corruption/> accessed 29 January, 2026

[62] PO Okonkwo, "The Rule of Law and Corruption in Nigeria: The Chicken and Egg Controversy." Vol. 3. AFJCLJ 2025 <https://legalafrica.org/the-robed-compromise-can-africas-judges-truly-stand-above-corruption/> accessed 29 January, 2026

[62]PC Obutte, "Corruption, Administration of Justice and the Judiciary in Nigeria", 2016. <https://www.academia.edu/21412993/Corruption_Administration_of_Justice_and_the_Judiciary_in_Nigeria> accessed 29 January, 2026

[63]A Oyebode, The Punch, 2 December 2012, p.3.

[64] UNODC (n. 18)

fragile trust is eroded, and citizens lose faith in the integrity of the legal system. The perception that justice can be influenced, manipulated, or bought undermines the very foundation of the rule of law and weakens governance. Restoring ethical standards to the legal profession is therefore essential, as it reassures society that justice is a right for all, not a privilege for the powerful.

b. Safeguarding Judicial Independence: Judicial autonomy is vital to democracy, serving as a check on executive and legislative excesses. To preserve its independence, the judiciary must assert itself against external pressures. Judges and lawyers must resist both political interference and financial inducements, anchoring their work on the principles of integrity, honesty, impartiality, and judicial responsibility. Strong independent oversight and the consistent enforcement of ethical standards are essential to ensure that courts remain neutral arbiters of justice rather than instruments of ruling elites or partisan interests.[65] Equally critical is the strengthening of accountability mechanisms. Without such safeguards, judicial institutions risk being perceived as compromised, eroding public trust and weakening their legitimacy.

c. Ensuring Equal Access to Justice: Access to justice is most severely undermined when ethical lapses occur within the legal profession.[66] These ethical lapses disproportionately harm the poor and marginalised in the society, turning law into a tool of privilege for the wealthy and well-connected, deepening inequality, and eroding public confidence in judicial outcomes.[67] Restoring

[65] ICJ Report (n. 14)

[66] P Angya, Legal education and access to justice in Nigeria: Ethical concerns and cross-cutting issues. (2024) African Journal of Law, Ethics and Education, 7(2). Retrieved from <https://ajleejournal.com/index.php/ajlee/article/view/198> accessed 28 January, 2026

[67]DK Kip, Contemporary issues affecting the legal profession in Africa. African Bar Association, 2023. Retrieved from <https://afribar.org/wp-content/uploads/2023/08/PP-W-01-Contemporary-Issues-Affecting-the-Legal-Profession-in-Africa> accessed 28 January, 2026

> integrity ensures justice is accessible to all, reaffirming the judiciary's role as protector of the vulnerable and guarantor of equal rights. In this way, ethical responsibility becomes inseparable from the broader mission of expanding access to justice, protecting the vulnerable, and maintaining public confidence in the rule of law.[68]

d. Strengthening Professional Standards: Integrity transforms law into a vocation of service. It ensures that those entering the profession are guided not by personal gain but by a genuine commitment to justice, strengthening both its quality and credibility. Cultivating this culture requires deliberate effort through ethical education, mentorship, and firm enforcement of standards.[69] Education equips lawyers to navigate dilemmas with principle, mentorship provides role models, and enforcement ensures misconduct is addressed decisively. Together, these pillars make integrity an expectation rather than an aspiration. Their impact extends beyond borders, enhancing the credibility of lawyers and judges locally and globally,[70] and securing recognition for African legal professionals on the world stage.[71]

e. Protecting the Rule of Law: The rule of law derives its strength from the impartial and consistent enforcement of legal norms. When ethical standards are upheld, the law serves as a shield, protecting rights, ensuring

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[68] Ibid.

[69] J-K Gadzama, Mentorship as a veritable foundation for building a culture of excellence and integrity. The Nigeria Lawyer, November 29 2025. <https://thenigerialawyer.com/mentorship-as-a-veritable-foundation-for-building-a-culture-of-excellence-and-integrity/> accessed 29 January, 2026

[70]Law & Society Magazine, Igba Boyi: A panacea for mentorship growth and development in the legal profession, September 18 2023. <https://lawandsocietymagazine.com/igba-boyi-a-panacea-for-mentorship-growth-and-development-in-the-legal-profession/> accessed 29 January, 2026

[71]E Khumalo, Why ethical standards are the cornerstone of legal integrity and corporate governance in Africa, May 8 2025. Further Africa. <https://furtherafrica.com/2025/05/08/why-ethical-standards-are-the-cornerstone-of-legal-integrity-and-corporate-governance-in-africa/> accessed 29 January, 2026

fairness, and preserving social order. Corruption, favouritism, and political interference transform the judiciary from a neutral arbiter of justice into a tool of oppression wielded by those in power.[72] Protecting the rule of law is therefore not merely a matter of professional reform but a societal imperative. This will ensure that the law fulfills its true purpose as a mechanism of justice, fairness, and protection for the vulnerable, rather than an instrument of domination or exploitation.[73]

5.0 CONSEQUENCES OF NOT ADDRESSING THE PROBLEM

The erosion of ethical standards within the legal profession carries profound and far-reaching consequences. Its impact extends far beyond the conduct of lawyers and judges, undermining the very foundations of justice, good governance, and public trust**.** Below are some of the consequences.

5.1 Erosion of Public Trust: Widespread corruption and judicial misconduct profoundly erode public confidence in the justice system. When citizens perceive courts as biased, compromised, or serving private interests rather than the common good, the judiciary's legitimacy as an impartial arbiter of justice is gravely weakened. This erosion of trust diminishes the authority of judicial decisions. Over time, the judiciary's failure to uphold ethical standards does more than tarnish its reputation; it disrupts the balance of governance, emboldens impunity, and fosters social instability. Ultimately, the decline of judicial integrity threatens not only the credibility of democratic institutions but also the very foundations of justice, accountability, and social order upon which stable societies depend.[74]

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[72] Mensah (n. 16)

[73] TS Masuku, Judicial independence as an essential aspect of the rule of law. Southern Africa Litigation Centre, 2017. <https://www.southernafricalitigationcentre.org/wp-content/uploads/2017/08/GOAL-16-Book-Masuku.pdf> accessed 29 January, 2026

[74]J. Babalola, Impact of judicial corruption on Nigeria's society, governance, and global standing. The Nigeria Lawyer, October 22 2024. <https://thenigerialawyer.com/impact-of-judicial-corruption-on-nigerias-society-governance-and-global-standing/> accessed 29 January, 2026

5.2 Judicial Inefficiency and Impunity: Judicial inefficiency and impunity in Africa are deeply intertwined, delaying justice, normalising misconduct, and eroding the judiciary's legitimacy as an impartial arbiter. When wrongdoing goes unchecked, impunity prevails, exposing courts to ridicule and weakening their moral authority.[75] Courts must sanction misconduct swiftly and fairly, regardless of status. Yet many allow themselves to be manipulated by political elites or the wealthy, resulting in selective justice. The maxim *"justice delayed is justice denied"* remains a harsh reality for countless Africans. A former Justice of Nigeria's Supreme Court identified delays as a major threat to credibility, noting that inefficiency has driven citizens toward self-help measures. One striking example involved a man who spent over 15 years litigating a land dispute. When he finally won, he chose not to rely on the courts to evict tenants but instead turned to a native doctor, who resolved the matter faster and at lower cost.[76] Instances of such severity erode public confidence and cast a shadow over the judiciary's image.

5.3 Increased Inequality in Access to Justice: The poor and marginalised bear the heaviest burden when justice is compromised. In systems plagued by corruption and inefficiency, the wealthy and politically connected secure undue advantages, while ordinary citizens face barriers to fair legal outcomes. This imbalance silences the voices of the disadvantaged and perpetuates exclusion. A compromised judiciary magnifies inequality, widens the justice gap, and erodes confidence in the rule of law. For vulnerable groups - women, minorities, rural populations, etc,. the denial of equal protection reinforces cycles of poverty, disempowerment, and exclusion from civic life.[77] . Over time, these disparities weaken social

[75] UNODC (n. 18)
[76] A Oguntade, The Guardian, (December 16 2012) 6
[77] United Nations Development Programme. Programming for justice: Access for all – A practitioner's guide to a human rights-based approach to access to justice. UNDP, 2005.

cohesion, fuel resentment, and undermine democratic governance by fostering the perception that justice serves only the powerful. Ultimately, when the justice system fails to protect the most vulnerable, it ceases to function as a universal safeguard and instead becomes an instrument of inequality, threatening both the legitimacy of legal institutions and the stability of society itself.[78]

5.4 Weakening of the Rule of Law: Ethical breaches within the legal profession undermine a core pillar of the rule of law - the principle that all are equal before it. The rule of law depends on credible, neutral, and consistent institutions, yet corruption and misconduct erode this foundation, weakening judicial independence in Africa and fostering impunity for the powerful.[79] As the International Bar Association observes, corruption compromises both justice and its administration. When corruption, favouritism, or misconduct infiltrates judicial processes, justice ceases to be impartial and instead becomes arbitrary, shaped by personal influence, political pressure, or private interests. Such distortions erode the credibility of legal institutions, weaken public trust, and compromise the judiciary's role as a neutral and independent arbiter of disputes. Over time, this loss of integrity does more than tarnish the courts' reputation; it destabilises the broader framework of democratic governance. Institutions reliant on the consistent and fair application of legal norms lose authority, while citizens grow increasingly cynical about the rule of law. As confidence in the justice system declines, compliance with legal standards

<https://www.undp.org/publications/programming-justice-access-all> accessed 29 January, 2026

[78] Ibid.

[79] International Bar Association. "The Impact of Corruption on the Rule of Law and the Effective Administration of Justice: Nigeria as a Case Study." April 28, 2023. <https://www.ibanet.org/impact-of-corruption-on-rule-of-law-Nigeria> accessed 30 January, 2026

weakens, accountability diminishes, and the foundations of democratic order which are anchored on justice and the rule of law are placed at risk.[80]

5.5 Erosion of Professional Integrity: When lawyers and judges prioritize personal gain over their duty to serve, they erode the moral foundation upon which the legal profession is built. Such conduct compromises the integrity of the justice system and distorts its very purpose as a mechanism for fairness and accountability. The normalisation of self-interest over service corrodes the core values of integrity, impartiality, and justice that define the profession. Without firm disciplinary measures, principled leadership, and consistent ethical guidance, the legal profession risks losing its identity as a guardian of justice, devolving instead into a system driven by privilege and opportunism. The danger is generational: younger lawyers may begin to view misconduct as routine, embedding unethical practices into the culture of the profession.[81] The consequences are profound, diminished public trust, weakened accountability, and the erosion of the judiciary's legitimacy as an impartial arbiter.

5.6 Political Capture of the Judiciary: When courts yield to the influence of ruling elites or succumb to executive pressure, as seen in many parts of Africa, the very essence of judicial independence is compromised. As courts become entangled with partisan interests, the rule of law is displaced, public trust declines, dissenting voices are silenced, and unchecked power consolidates in the hands of the elite.[82] The consequences are profound: constitutional guarantees lose force, accountability collapses, and

[80] Gavel Nigeria, Corruption and transparency in Nigeria's justice system, 2023. <https://files.gavel.ng/Uploads/Publications/Assessing-Perceptions-of-Corruption-and-Transparency-in-Nigeria-s-Justice-System_Jira-Update.pdf> accessed 1 February, 2026

[81] The Nigeria Lawyer, Mentorship as a veritable foundation for building a culture of excellence and integrity, November 29 2025. <https://thenigerialawyer.com/mentorship-as-a-veritable-foundation-for-building-a-culture-of-excellence-and-integrity/> accessed 30 January, 2026

[82] ICJ Report (n. 14)

democratic governance destabilises. Once the judiciary ceases to function as an impartial guardian of justice, it forfeits legitimacy and leaves society vulnerable to authoritarianism and the systematic erosion of rights.[83] Addressing the political capture of the judiciary in Africa is therefore not merely a matter of professional reform; it is a societal imperative essential to safeguarding democracy, justice, and the rule of law.

5.7 Rise of Self-help and Jungle Justice: Delays, corruption, and inefficiency in courts drive citizens to lose faith in the formal justice system, turning instead to self-help or informal mechanisms of dispute resolution, ranging from traditional authorities to, in extreme cases, extrajudicial actions.[84] While these alternatives may seem faster or more accessible, they carry significant risks. By bypassing the regular courts, disputes are resolved without the safeguards of impartiality, due process, or legal accountability. This not only undermines the authority of the judiciary but also fosters instability, as outcomes may be inconsistent, coercive, or shaped by power dynamics rather than fairness. Over time, reliance on informal justice erodes respect for the rule of law, weakens compliance with legal norms, and entrenches a culture where justice is pursued outside institutional frameworks.[85] If unchecked, the rise of self-help and jungle justice will destabilise the legal order and diminish the credibility of courts as neutral arbiters of disputes.

6.0 THE WAY FORWARD

The ethical crisis confronting Africa's legal profession demands urgent, coordinated, and comprehensive reforms. Without decisive action, the profession risks losing its identity as the guardian of justice and protector of the rule of law. To restore integrity and reclaim moral authority, bold measures must be adopted to strengthen accountability, reinforce ethical

[83] Ibid.

[84] Vanguard Newspaper, Issues with access to justice in Nigeria — Adegboruwa, SAN, January 23 2025. <https://www.vanguardngr.com/2025/01/issues-with-access-to-justice-in-nigeria-adegboruwa-san/> accessed 30 January, 2026

[85] Ibid.

standards, and ensure impartiality in the delivery of justice. Key suggestions include:

6.1 Strengthening Legal Education and Training: Ethics must be embedded at the core of legal education to safeguard integrity and accountability. From the undergraduate level, curricula should instill values of honesty, impartiality, and responsibility, shaping the professional identity of lawyers and judges. Continuous professional development (CPD) is equally vital.[86] CDP programs must go beyond lectures, using case studies, peer review, and experiential learning to equip practitioners for complex ethical dilemmas. At the institutional level, judicial and legal training institutes must modernize their programs to reflect contemporary realities, integrating fields such as technology law, digital rights, business ethics, environmental justice, and global practice.[87] By broadening and deepening legal education, institutions can foster a culture of integrity and better prepare practitioners to meet transnational challenges while upholding the highest standards of justice.

6.2 Robust Disciplinary Mechanisms: Bar Associations and Judicial Councils must enforce disciplinary measures with consistency, transparency, and fairness to address ethical breaches without bias or delay. Complaints should be investigated promptly through credible mechanisms, with sanctions strong enough to deter misconduct and signal zero tolerance for unethical behaviour.[88] In ***Gbenoba v. Legal Practitioners Disciplinary***

[86] See Nigerian Bar Association, Mandatory Continuing Professional Development (MCPD) Rules. Barrister NG (2025). <https://barristerng.com/nba-introduces-mandatory-continuing-professional-development-mcpd-rules-for-lawyers/> accessed 30 January, 2026

[87] International Bar Association. Practical guide for ongoing legal education. IBA, 2019. <https://www.ibanet.org/> accessed 30 January, 2026

[88] I Bello & AS Usman, Strengthening the bar and bench collaboration: A pathway to professional discipline and justice delivery in Nigeria. (2025) International Journal of Law, 11(8), 36–41.

Committee (LPDC),[89] the Nigerian Supreme Court emphasized firmness, transparency, and fairness in disciplinary proceedings -principles essential to preserving professional integrity. Equally important is the public disclosure of disciplinary outcomes, which strengthens accountability, deters future violations, and demonstrates that no lawyer or judge is above the law. When disciplinary processes are credible and transparent, they reinforce the moral authority of the profession, safeguard judicial integrity, and restore public confidence in both the justice system and the rule of law.

6.3 Improved Remuneration and Work Conditions: Enhancing salaries and working conditions, especially in lower courts, is vital to reducing vulnerability to corruption. Adequate compensation and dignified work environments empower judges and staff to uphold fairness and impartiality. Equally important is sustained investment in judicial infrastructure.[90] Modern, well-equipped courtrooms, access to digital technologies, and efficient administrative support systems enable judges and lawyers to perform their duties effectively and independently. Infrastructure development not only enhances efficiency and transparency but also ensures that justice is delivered in a timely and accessible manner.[91] Prioritizing both the welfare of judicial officers and the modernisation of institutions would foster a justice system that is impartial, credible, and capable of serving as a true guardian of justice and the rule of law. Such measures will reduce opportunities for misconduct and help restore public confidence in the judiciary.

[89] [2021] 6 NWLR (Pt. 1773) 499

[90] Africa Judicial Independence Fund (AJIF), Overview Analysis of the State of Judicial Independence in Africa. (2024) ABC News Ghana. Retrieved from abcnewsgh.com. See also The Nigeria Lawyer, Magistrates' Pay As Low As N120k – Judicial Officers Battle Poor Salaries, Working Conditions Nationwide (2025). <thenigerialawyer.com> accessed 30 January, 2026

[91] World Bank, Improving court infrastructure and access to justice. World Bank (2020). <https://www.worldbank.org/en/topic/governance/brief/justice-reform> accessed 29 January, 2026

6.4 Safeguarding Judicial Independence: Strong constitutional and institutional safeguards are essential for protecting the judiciary from political interference and ensuring its independence as a cornerstone of justice. Judges must be insulated from executive pressure through clear mechanisms that preserve separation of powers, guarantee impartiality, and prevent the judiciary from becoming an extension of political authority.[92] Beyond national frameworks, regional collaboration among African bar associations and judicial councils can reinforce independence of the judiciary. By sharing best practices, adopting regional codes of conduct, and coordinating disciplinary measures these professional bodies can strengthen resilience against political capture. Collective action at the continental level will further amplify advocacy for reforms, ensuring that judicial integrity is not only a national priority but a shared commitment across Africa.[93]

6.5 Promoting Transparency and Accountability: Open reporting of judicial decisions and disciplinary actions is vital for building public confidence in the justice system. When judgments and sanctions are made accessible to the public, they demonstrate accountability and a genuine commitment to fairness. Transparency not only deters misconduct but also reassures citizens that justice is being administered impartially and without favouritism.[94] Digital platforms can further strengthen integrity by tracking cases, monitoring performance, and publishing disciplinary outcomes. Real-time updates on case progress and workloads expose delays, reduce opportunities for corruption, and promote consistency in decision-

[92] B Olutola, Constitutional Safeguards for the Independence of the Judiciary in African Democracies, (2021) World Constitutional Law Review, Vol. 26 (3)
[93] Pan-African Lawyers Union, East African Law Society, & SADC Lawyers Association. (2024). Joint statement on judicial independence and accountability. PALU. <https://www.lawyersofafrica.org/wp-content/uploads/20240705_-JOINT-STATEMENT-OF-THE-PALU-EALS-SADCLA_Independence-of-the-legal-profession.pdf> accessed 24 January, 2026
[94] ICJ Report (n. 14)

making.[95] By combining transparent reporting with modern digital infrastructure, courts can foster a culture of openness, rebuild trust, and ensure justice remains timely, credible, and accessible to all.

6.6 Mentorship and Professional Culture: Senior lawyers and judges have a vital responsibility to mentor younger practitioners, instilling not only technical competence but also values of honesty, fairness, and service. Such structured mentorship and intergenerational guidance preserve professional traditions, strengthens continuity, and reinforces the moral fabric of the legal community.[96] Professional associations must likewise cultivate a culture where ethical conduct is celebrated and misconduct firmly condemned. This requires visible enforcement, recognition of exemplary behaviour, and clear consequences for violations. By promoting integrity as a source of pride, associations shift incentives away from opportunism toward genuine service to society.[97] Together, mentorship and institutional leadership create a virtuous cycle: young practitioners are nurtured in environments that reward ethical behaviour, while professional bodies provide the structures that sustain accountability. This dual approach elevates the credibility of the legal profession, strengthens public trust, and reaffirms the judiciary's role as a guardian of justice and the rule of law.

6.7 Protecting Whistleblowers and Journalists: Robust legal safeguards are essential to protect those who expose corruption within the judiciary. Whistleblowers, investigative journalists, and civil society actors play a critical role in holding the profession accountable, but without protection they risk intimidation, retaliation, or legal harassment - weakening

[95] World Bank (n. 91)
[96] Gadzama (n. 69)
[97] International Bar Association, Practical guide for professional associations on ethics and integrity. IBA, 2019. <https://www.ibanet.org/> accessed 30 January, 2026

transparency and eroding public trust.[98] Laws must establish confidential reporting mechanisms, guarantee protection against dismissal or persecution, and impose strict penalties on those who retaliate. Judicial councils and bar associations should collaborate with media and civil society to create safe channels for exposing wrongdoing, reinforcing accountability as a shared responsibility. Shielding those who speak out strengthens judicial integrity, deters misconduct, and reassures citizens that justice is impartial and actively defended against abuse.[99] Protecting whistleblowers and journalists affirms society's commitment to transparency, democratic governance, and the rule of law.

6.8. Coordinated Multi-Stakeholder Approach: Promoting ethics in Africa's legal profession requires collective action. Bar associations, judiciaries, law schools, governments, civil society organisations, regional bodies, and senior practitioners each have vital roles in embedding ethical standards across education, practice, and governance. Their coordinated efforts are indispensable to safeguarding integrity and accountability. The specific contributions of these key stakeholders are outlined below.

7. KEY STAKEHOLDERS AND THEIR ROLES IN PROMOTING ETHICS IN AFRICA'S LEGAL PROFESSION

7.1 National Bar Associations and Law Societies: Bar Associations and Law Societies play a central role in safeguarding the integrity of Africa's legal profession. As gatekeepers, they regulate entry into practice, ensuring only candidates of competence and character are admitted. By enforcing

[98]African Union, African Union Convention on Preventing and Combating Corruption. AU, 2014. <https://au.int/en/treaties/african-union-convention-preventing-and-combating-corruption> accessed 30 January, 2026

[99]Transparency International, Whistleblowing in Africa: Protecting those who speak up. Transparency International, 2021. <https://www.transparency.org/en/publications/whistleblowing-in-africa> accessed 30 January, 2026

codes of conduct, they act as watchdogs of professional ethics, holding lawyers accountable to values of honesty, fairness, and impartiality. Their responsibilities extend beyond admission and regulation.[100] Investigating misconduct and imposing transparent, consistent disciplinary measures reinforces public trust and deters unethical behaviour. Equally vital is their role in continuing legal education (CLE), providing ongoing training that emphasizes ethics, accountability, and emerging areas such as technology law, business ethics, human rights, and global practice.[101] By combining regulation, discipline, and education, these institutions strengthen the credibility of the legal community, protect democratic governance, and ensure justice remains impartial, accessible, and trusted by all citizens.

7.2 Judiciaries and Judicial Service Commissions: Judiciaries and Judicial Service Commissions (JSCs) in Africa occupy a pivotal position in safeguarding the integrity of the legal profession and addressing ethical breaches. Their mandate extends beyond adjudication to enforcing discipline, protecting judicial independence, and promoting professional ethics. As watchdogs of judicial conduct, they investigate complaints, impose sanctions, and provide training to ensure judges and lawyers uphold the highest standards.[102] Transparent and consistent disciplinary processes are essential for accountability, reassuring the public that misconduct is neither ignored nor tolerated. A strong and ethical judiciary guarantees timely justice, particularly for marginalised communities who suffer most when corruption or inefficiency prevails.[103] JSCs also regulate recruitment, promotion, and discipline, ensuring that only individuals of competence

[100] IBA (n. 97)

[101] The Nigerian Bar Association (NBA) has introduced Mandatory Continuing Professional Development (MCPD) Rules, 2025, which emphasize both transparent disciplinary processes and the importance of continuing legal education (CLE).

[102] JN Egemonu, Role of The Judiciary in Promoting Access to Justice in Nigeria (2022) Global Journal of Politics and Law Research, Vol.10, No.5, pp.1-16

[103]Bimak Associates, Addressing Challenges in the Nigerian Judicial System: Mitigating Delays, Combating Corruption, and Closing Capacity Gaps, 2025. <https://www.bimakassociates.com/nigerian-judicial-system/> accessed 30 January, 2026

and integrity serve as judicial officers. By insulating judges from political interference, they uphold the separation of powers and protect the judiciary's legitimacy.[104] Beyond discipline and regulation, JSCs collaborate with bar associations and civil society to advance continuing legal education (CLE). These programs emphasize ethics, accountability, and emerging areas such as technology law, business ethics, human rights, and global legal trends, equipping practitioners to meet evolving demands while safeguarding integrity.[105]

7.3 Law Faculties and Law Schools: Law faculties and law schools across Africa provide the foundational education that shapes both the character and competence of future legal practitioners. Ethics must be embedded as a central pillar of legal education. By embedding values of integrity, impartiality, and accountability, they cultivate a generation of lawyers who regard ethical conduct as inseparable from professional excellence.[106] Early exposure to real-world case studies, moot courts, and moral dilemmas prepares students to navigate complex intersections of law and justice. Modern challenges, such as technology law, digital rights, business ethics, environmental justice, and globalisation, demand both technical expertise and ethical judgment.[107] Beyond initial training, law faculties also play a vital role in continuing legal education (CLE).[108] Through seminars, workshops, and specialised courses, they keep practitioners updated on evolving ethical standards and emerging areas of practice. By combining rigorous academic instruction with sustained ethical formation, law schools

[104] Ibid.
[105] I Bello & AS Usman, Strengthening the bar and bench collaboration: A pathway to professional discipline and justice delivery in Nigeria (2025) International Journal of Law, 11(8), 36–41. <https://lawjournals.org/assets/archives/2025/vol11issue8/11180.pdf> accessed 30 January, 2026
[106] Council of Legal Education (Nigeria), Legal Education in Nigeria: Standards and Curriculum, 2022.
[107] Ibid.
[108] Ibid.

ensure that the legal profession remains credible, resilient, and capable of safeguarding democratic governance and the rule of law across Africa.

7.4. Governments: Governments play a pivotal role in safeguarding the sanctity of the legal profession by creating an enabling environment that promotes ethical practice and reduces systemic pressures that foster misconduct. Through the enactment of laws that strengthen accountability, transparency, and judicial independence, the state ensures that the justice system remains resilient against corruption and political interference.[109] Adequate funding and fair remuneration for judges, magistrates, and court staff are equally critical. By addressing financial vulnerabilities, the government minimizes opportunities for bribery and undue influence, thereby reinforcing the impartiality of judicial officers. Investment in infrastructure, technology, and administrative support further enhances efficiency and strengthens public confidence in the courts.[110] Governments must also actively support whistleblower protection and anti-corruption frameworks. Shielding those who expose misconduct within the judiciary, whether whistleblowers, journalists, or civil society actors, ensures that accountability mechanisms remain credible and effective. Such protections deter unethical behaviour and affirm the principle that no one is above the law.[111] By reducing systemic pressures, providing adequate resources, and protecting those who speak out against corruption, the state reinforces the rule of law, safeguards democratic governance, and ensures that justice remains impartial, accessible, and trusted by all citizens.

7.5 Civil Society Organisations and Media: Civil society organisations and the media are indispensable stakeholders in promoting integrity within the judiciary and the wider legal profession. By exposing corruption,

[109] African Union, African Charter on Democracy, Elections and Governance. AU, 2016. Retrieved from <https://au.int/en/treaties/african-charter-democracy-elections-and-governance> accessed 30 January, 2026
[110] ICJ Report (n. 14)
[111] Ibid.

unethical practices, and abuses of power, they serve as watchdogs that hold institutions accountable and ensure that misconduct does not remain hidden. Their investigative work and advocacy efforts illuminate systemic weaknesses, creating pressure for reforms that strengthen transparency and restore public trust.[112] Beyond exposing wrongdoing, these actors play a vital role in educating the public about their rights and the importance of ethical justice systems. Through awareness campaigns, publications, and community engagement, they empower citizens to demand accountability and resist impunity. In doing so, they help cultivate a culture in which justice is not only delivered but also seen to be delivered fairly and impartially. Civil society and the media also act as external checks on judicial and legal institutions, complementing internal disciplinary mechanisms.[113] By monitoring judicial performance, reporting on disciplinary outcomes, and advocating for systemic reforms, they ensure that the profession remains accountable to society rather than insulated from scrutiny. Ultimately, a strong partnership between civil society, the media, and formal legal institutions strengthens democratic governance, protects fundamental rights, and ensures that the judiciary remains a credible guardian of justice and the rule of law.

7.6 Regional and Continental Bodies: Regional professional bodies such as the African Bar Association (AfBA) and the Pan-African Lawyers Union (PALU) play a pivotal role in advancing the integrity of the legal profession across the continent. By promoting cross-border collaboration and harmonizing ethical standards, these organisations ensure that professional conduct transcends national boundaries and reflects a shared continental commitment to justice and accountability. Through mechanisms such as peer review and collective accountability, AfBA and PALU encourage African jurisdictions to learn from one another, identify best practices, and

[112] United Nations Office on Drugs and Crime, Civil society's role in promoting judicial integrity. UNODC, 2016. <https://www.unodc.org/> accessed 29 January, 2026
[113] Ibid.

strengthen disciplinary systems.[114] This cooperative approach helps close gaps in enforcement, reduce inconsistencies in ethical standards, and build resilience against corruption and political interference. Equally important, these bodies foster a shared culture of integrity and professionalism across jurisdictions. By convening conferences, issuing guidelines, and facilitating dialogue among practitioners, they nurture a continental identity rooted in ethical responsibility.[115] Their work reinforces the principle that the credibility of Africa's legal profession depends not only on national reforms but also on regional solidarity and collective oversight.

7.7 Judges, Senior Lawyers and Mentors: Senior lawyers play crucial role in guiding younger practitioners through structured mentorship, offering not only technical expertise but also modeling the values that define the profession. By exemplifying professionalism, integrity, and service-oriented practice, they provide living examples of what it means to uphold justice with honor and accountability.[116] Mentorship platforms, whether through formal programs organized by bar associations or informal guidance within chambers, create opportunities for younger lawyers to learn directly from seasoned practitioners. These interactions instill ethical consciousness, reinforce respect for the rule of law, and cultivate a sense of responsibility to society. Such mentorship is more than the transfer of skills; it is a cultural transmission of ethics across generations. By embedding honesty, fairness, and service into the professional identity of new entrants, senior lawyers ensure continuity of values that sustain the credibility of the legal profession.[117] This intergenerational bond strengthens resilience against corruption, nurtures leadership, and prepares the next generation to navigate complex moral dilemmas in a rapidly evolving legal landscape. Ultimately, mentorship by senior lawyers is a cornerstone of professional

[114] African Bar Association. Ethics and professional standards in the African legal profession. AfBA, 2023. <https://afribar.org/> accessed 29 January, 2026
[115] Ibid.
[116] Gadzama (n. 69)
[117] Ibid.

integrity. It reinforces a culture where ethical conduct is celebrated, misconduct is condemned, and the profession remains aligned with its higher calling, serving justice and safeguarding good governance.

8.0 CONCLUSION

The legal profession in Africa stands at a critical crossroads, grappling with an ethical crisis that threatens its very foundations. Once revered as the guardian of justice and the rule of law, it now struggles under the weight of corruption, professional misconduct, political interference, and systemic ethical failings, leading to the erosion of public trust. Weak disciplinary mechanisms, which frequently dismiss complaints or impose only token sanctions, have fostered a culture of impunity. At the same time, poor remuneration leaves lawyers and judges vulnerable to external pressures, undermining their ability to resist undue influence and compromising the integrity of judicial processes. The consequences are profound and far-reaching: diminishing public confidence in the judiciary, weakened democratic institutions, and widening inequality in access to justice, particularly for the vulnerable among us, who rely heavily on impartial courts. If left unaddressed, these challenges risk not only discrediting the legal profession but also destabilising the broader pursuit of democracy and good governance across the continent. Urgent reforms that will strengthen disciplinary frameworks, ensure fair compensation, and safeguard judicial independence are therefore critical for restoring the credibility of the legal profession.