

The Nigerian Legislature, Law and Morality: Ethical Governance, Public Trust and Legislative Integrity

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Abstract

Purpose: This study examines the relationship between the Nigerian legislature, law and morality, with emphasis on ethical conduct, legislative integrity, conflicts of interest, public trust and accountability.

Methodology: The study adopted a qualitative documentary research design, relying on constitutional provisions, legislative codes and rules, official parliamentary documents, judicial materials, international parliamentary standards and scholarly literature published substantially between 2019 and 2026, with comparative lessons drawn from Canada, Japan, South Korea and Lesotho.

Results: The study finds that legality constitutes the minimum enforceable standard for legislative conduct, whereas morality encompasses broader expectations of honesty, responsibility, fairness, restraint and commitment to the public interest, and that Nigeria possesses constitutional and institutional mechanisms addressing public-officer conduct, asset declaration, conflicts of interest and legislative ethics, but that the existence of rules does not automatically guarantee ethical legislative behaviour.

Conclusions: Ethical standards become more effective when supported by independent advice, disclosure mechanisms, enforceable conflict-of-interest rules, ethics committees, public reporting and sustained ethical education, and Nigeria's legislative culture should be built on the combination of law as the minimum standard and morality as the guide to responsible discretion.

Limitations: The documentary design does not incorporate primary interviews with legislators, ethics officers or affected stakeholders.

Contributions: The study proposes a strengthened enforcement architecture, institutionalised conflict-of-interest disclosure and a continuous ethics and public-integrity programme for the Nigerian legislature.

Keywords: *Legislative Ethics, Legislative Integrity, Legislature, Public Trust*

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1. Introduction

The relationship between law and morality is one of the enduring questions of jurisprudence and public administration. Law establishes formally recognised rules backed by legitimate state authority, whereas morality encompasses broader judgments concerning right and wrong, responsibility,

fairness, honesty and appropriate conduct. In democratic governance, the distinction is important because not every morally questionable act is necessarily unlawful, just as compliance with the law does not automatically make every public decision ethically desirable. Contemporary public-integrity frameworks therefore increasingly recognise that effective governance requires both enforceable rules and ethical standards capable of guiding conduct where formal law does not provide a complete answer ([OECD, 2022, 2025](#)). Recent theoretical work reinforces this institutional framing, arguing that public integrity should be defined institution-first rather than officer-first: an institution's own robust disposition to pursue its purpose within the constraints of legitimacy is what ultimately grounds a public officer's praiseworthy contribution to it, rather than the reverse ([Kirby, 2021](#)).

The importance of this relationship becomes particularly pronounced in legislatures. Legislators make laws, approve public expenditure, scrutinise executive action, represent citizens and participate in decisions affecting the allocation of public resources. Their conduct can therefore influence both the substantive quality of legislation and public confidence in democratic institutions. The Inter-Parliamentary Union identifies integrity, accountability, transparency and public confidence as important dimensions of effective parliamentary institutions, while comparative parliamentary evidence demonstrates that most legislatures now maintain some form of code of conduct or ethical framework for members ([UK House of Commons Committee on Standards, 2024](#)).

The relationship between law and morality does not mean that legislators should legislate personal moral preferences into every aspect of social life. In pluralistic democracies, citizens hold diverse religious, cultural, philosophical and moral beliefs. The legislature must therefore distinguish between private morality and public ethics. The latter concerns principles necessary for the responsible exercise of public authority, including honesty, impartiality, avoidance of conflicts of interest, responsible stewardship of public resources and respect for constitutional institutions. Comparative research on conflict of interest in government cautions that this distinction is frequently misunderstood in practice, since officials and commentators alike often reduce conflict-of-interest analysis to a simple question of personal honesty, when the underlying concern is structural: even honest officials can unconsciously rationalise how personal stakes align with the public interest, and regulatory systems that rely on the honesty defence alone therefore systematically underestimate the risk ([Fung, 2025](#)).

Recent OECD evidence illustrates the importance of this institutional dimension. Legislative scrutiny contributes to transparency and accountability, while public consultation, lobbying transparency and conflict-of-interest regulation are identified as mechanisms through which lawmaking can be protected from undue influence and narrow interests ([OECD, 2025](#)). The OECD further emphasises that public-integrity systems should not depend exclusively on individual virtue but should create institutional conditions that make ethical conduct more likely and unethical conduct more difficult. Comparative evaluation of integrity systems across European local governments reaches a structurally similar conclusion, finding that robust integrity systems require the coordinated operation of several distinct components, including codes, training, reporting channels and enforcement bodies, and that systems assessed as strong in one component but weak in another still leave significant institutional vulnerability ([Hoekstra, Huberts, & van Montfort, 2022](#)).

Canada offers a useful illustration. Its house of commons conflict of interest code recognises parliamentary service as a public trust and requires members to place the public interest ahead of private interests. It also requires members to arrange their private affairs to withstand public scrutiny and provides mechanisms for disclosure, investigation and independent ethical advice ([House of Commons of Canada, 2025](#)).

Japan provides another distinctive example. Its House of Representatives maintains a Political Ethics Examination Committee, demonstrating an institutional approach through which ethical questions involving legislators can be considered within parliamentary structures ([House of Representatives of Japan, 2026](#)). South Korea provides an even more explicit connection between parliamentary ethics and enforceable discipline. Its National Assembly Act provides for disciplinary action where members

violate ethical principles, conflict-of-interest requirements and rules governing ethical practice, with the special committee on ethics playing a formal role in the disciplinary process ([Korea Legislation Research Institute, 2024](#)). Lesotho, meanwhile, provides an instructive African example of an evolving legislative ethics architecture. Its National Assembly maintains an Ethics, Code of Conduct, Immunities and Privileges Committee, and in 2026 the Assembly reported on the development of a dedicated Code of Conduct and Ethics for members ([National Assembly of Lesotho, 2026](#)).

Nigeria operates within a constitutional framework in which legislators are public officers subject to constitutional standards of conduct. The Fifth Schedule to the 1999 Constitution establishes a Code of Conduct framework covering members of legislative houses and provides for asset declaration and the Code of Conduct Tribunal ([Federal, 1999](#)). Beyond constitutional requirements, Nigeria's National Assembly possesses its own Code of Ethics. The Code requires legislators to conduct themselves in an exemplary manner and emphasises honesty, integrity, transparency, accountability and courteous relations irrespective of ethnic, religious, political or other differences ([National Institute for Legislative and Democratic Studies, 2015](#)). The National Assembly itself presently identifies integrity and transparency, patriotism and service, professionalism and excellence, accountability and inclusiveness, and commitment to democratic ideals among its core values ([National Assembly of Nigeria, 2025](#)).

The persistence of ethical concerns, however, demonstrates that formal standards and actual behaviour may not always coincide. A 2025 study of ethical leadership and the Nigerian National Assembly reported concerns involving alleged budget padding, oversight failures, inadequate transparency, questionable constituency projects and allegations of bribery and corruption ([Nyampa & Oshewolo, 2025](#)). This finding is consistent with broader empirical research on the National Assembly's institutional performance, which links weak procedural discipline and perceived impunity directly to Nigeria's wider governance crisis and declining public trust ([Suberu, 2022](#)), and with comparative legislative-oversight scholarship showing that constitutional accountability provisions in both Nigeria and South Africa have not always translated into effective institutional practice (Fagbadebo, 2019a, 2019b; [Notshulwana & Lebakeng, 2019](#)). Such findings should not be interpreted as a judgment on every legislator or on the institution as a whole; rather, they demonstrate the continuing importance of examining the relationship between formal law, ethical expectations and legislative practice.

The central issue of this study is therefore not whether morality should replace law. It should not. Rather, the study asks how law and morality can interact to produce a legislature in which legal compliance represents the minimum standard and ethical responsibility represents the higher standard expected of holders of public trust.

2. Literature Review

2.1 The Conceptual Relationship Between Law and Morality

A substantial literature situates public integrity as a distinct concept from mere legal compliance. Theoretical work on institution-first public integrity argues that public institutional integrity is best understood as an institution's robust disposition to pursue its purpose efficiently, within the constraints of legitimacy and consistent with its commitments, and that individual officer integrity is properly derived from, rather than prior to, this institutional ideal ([Kirby, 2021](#)). This reframing is significant for legislative studies because it shifts the analytical starting point away from the personal virtue of individual legislators toward the design of the institution within which they operate, a shift consistent with the OECD's broader public-integrity framework ([OECD, 2022, 2025](#)).

2.2 Conflict of Interest as a Structural Problem

Comparative research on conflict of interest cautions against treating the problem as primarily a matter of individual honesty. Analysis of common ethical and conceptual mistakes in government conflict-of-interest regulation demonstrates that officials frequently underestimate the risk that personal stakes distort judgment, in part because self-deception about what the public interest requires is itself a predictable feature of human cognition rather than a mark of dishonesty, and that regulatory systems built around the honesty defence therefore systematically under-regulate genuine conflicts

([Fung, 2025](#)). This literature reinforces the case for structural mechanisms, including registers of interest, recusal rules and independent commissioners, rather than reliance on legislators' self-assessment of their own impartiality.

2.3 Institutionalising Parliamentary Ethics: Comparative Evidence

A distinct literature traces how parliamentary ethics regimes have institutionalised over time in specific jurisdictions. Historical institutionalist analysis of the French parliamentary ethics regime documents a decades-long transformation from a prohibition-based system focused on a priori bans and wealth control to a regulatory regime emphasising disclosure obligations and ethical counsel, alongside a parallel shift from self-regulation to co-regulation through the creation of independent oversight institutions ([Wickberg, 2025](#)). The French case nonetheless illustrates a persistent tension: even as oversight institutions multiplied, relatively few parliamentarians have actually been sanctioned for ethical violations, suggesting that the formal architecture of ethics regulation does not automatically translate into vigorous enforcement ([Wickberg, 2025](#)). Comparative evaluation of local-government integrity systems in Germany, Belgium and the Netherlands similarly finds that integrity systems assessed as strong on paper frequently reveal specific component weaknesses, such as underdeveloped reporting channels or inconsistent training, once examined through a structured assessment framework ([Hoekstra et al., 2022](#)).

2.4 Virtue, Character and Institutional Ethics

A further body of scholarship revisits virtue ethics as a foundation for administrative and legislative conduct. Contemporary MacIntyrean scholarship on virtue ethics in organisational life argues that virtuous practice cannot be reduced to individual character alone, since practices of virtue are necessarily collaborative and are shaped by the institutional and organisational context within which individuals act, extending Aristotelian virtue theory into a genuinely institutional register relevant to public bodies such as legislatures ([Bernacchio, Moore, Robson, & Rocchi, 2023](#)). This literature complements rather than displaces rule-based approaches to legislative ethics, since it suggests that codes of conduct function best when they operate alongside, rather than instead of, a supportive institutional culture that cultivates honesty, fairness and restraint as collaborative practices among legislators.

2.5 Transparency, Whistleblowing and Public Confidence

Transparency and disclosure mechanisms form a further pillar of the comparative literature on legislative and public-sector ethics. Comparative empirical research constructing a global whistleblower-protection effectiveness index finds substantial variation in the practical strength of legal protections across jurisdictions, demonstrating that the mere existence of whistleblower legislation is a poor proxy for whether officials and citizens can safely report misconduct in practice ([Kaciku Baljija & Min, 2023](#)). Complementary Bangladesh-based theoretical research proposing a citizen-facing accountability application illustrates a growing global interest in technology-enabled oversight mechanisms that allow direct citizen participation in monitoring delegated public authority, including through complaint submission, data audits and investigative reporting functions ([Arafat & Fahmida, 2025](#)). This literature is relevant to Nigeria because it demonstrates that transparency mechanisms increasingly extend beyond formal disclosure registers toward technologically mediated public participation in oversight.

2.6 Legislative Accountability and Public Trust in Nigeria and Africa

Nigerian and African-focused scholarship situates legislative ethics within the broader crisis of institutional accountability. Empirical research on the National Assembly's own conduct finds that budget padding, oversight failures and perceived transparency deficits are widely regarded by legislative respondents themselves as significant ethical concerns, a finding consistent with broader research linking weak procedural discipline to the institution's wider governance crisis ([Suberu, 2022](#); [Nyampa, & Oshewolo, 2025](#)). Complementary research situates recurring Nigerian legislative accountability failures within a prebendalist pattern in which legislative office is treated as a private resource rather than a public trust, while comparative legislative-oversight research across Nigeria and South Africa finds that constitutional accountability provisions have not always translated into

effective institutional practice in either country ([Osunkoya, & Basiru, 2019](#); [Fagbadebo, 2019a](#); [Maganoe, 2023](#); [Notshulwana, & Lebakeng, 2019](#)). Cross-national governance research reinforces why these findings matter for public trust, since institutions perceived as procedurally fair sustain considerably stronger public confidence than those perceived as merely efficient ([Koeswayo, Handoyo, & Hasyir, 2024](#)), while research on institutional distrust in Nigeria's own security sector documents how a single institution's perceived unfairness can trap public confidence in a self-reinforcing downward spiral, a dynamic equally applicable to legislative institutions whose ethical conduct is repeatedly called into question ([Tiwa, 2024](#)).

2.7 Theoretical Orientation

Taken together, the reviewed literature supports the three theoretical frameworks adopted in this study. The Legal Positivist perspective explains why legal validity and moral desirability are analytically distinct, preventing legislative ethics from collapsing into an argument for judicial invalidation of every morally contested law. Virtue Ethics, reinforced by contemporary institutional readings of Aristotelian and MacIntyrean theory, explains why legislative discretion cannot be fully captured by rules alone and requires cultivated qualities of character operating within a supportive institutional culture ([Bernacchio, Moore, Robson, & Rocchi, 2023](#)). Public Integrity Theory, anchored in the institution-first conception of public integrity and reinforced by comparative evidence on the structural nature of conflict-of-interest risk and the uneven strength of formal integrity systems ([Kirby, 2021](#); [Fung, 2025](#); [Hoekstra, Huberts, & van Montfort, 2022](#); [Wickberg, 2025](#)). Provides the strongest analytical bridge between law and morality, such as ethical conduct should be encouraged by institutional design, not merely expected from individual character.

3. Research Methodology

This study employed a qualitative documentary research design using a normative and comparative institutional approach. This methodology was selected because the study examines constitutional provisions, parliamentary ethical regulations, legislative procedures, institutional accountability mechanisms, comparative ethics frameworks, and governance documents rather than primary behavioural data. Documentary research allows researchers to systematically analyse legal texts, institutional documents, and scholarly interpretations to understand how formal rules regulate public institutions and shape accountability practices. In the context of constitutional governance, legal accountability and institutional responsibility are essential elements in ensuring that public institutions operate within the framework of the rule of law and protection of constitutional principles ([Natamiharja, 2025](#); [Kesuma, 2023](#)).

The primary materials analysed in this study consisted of the Constitution of the Federal Republic of Nigeria in 1999, the National Assembly Code of Ethics, parliamentary rules, legislative documents, and official institutional publications from selected comparative jurisdictions. Secondary materials included recent academic publications, OECD integrity reports, Inter-Parliamentary Union (IPU) parliamentary data, and comparative parliamentary studies published substantially between 2019 and 2026. These materials were selected purposively based on their relevance to parliamentary ethics, conflicts of interest regulation, transparency, institutional enforcement, and public accountability. The use of documentary legal materials is consistent with normative legal research, which focuses on examining legal norms, institutional arrangements, and the relationship between legal provisions and their implementation ([Bustomi, 2023](#)).

The comparative component examined Canada, Japan, South Korea, and Lesotho. These jurisdictions were deliberately selected outside commonly discussed comparative examples such as the United Kingdom, United States, Germany, South Africa, and Kenya to provide broader institutional perspectives. Canada was selected due to its independent parliamentary ethics commissioner and conflict-of-interest framework; Japan because of its parliamentary political ethics examination mechanism; South Korea due to its formal ethics and disciplinary arrangements; and Lesotho because of its recent development of a dedicated parliamentary ethics framework. The selection of these cases enables the study to identify different approaches to legislative integrity regulation while considering differences in constitutional structures, political systems, and institutional capacity. Comparative

institutional analysis is particularly useful for examining how different legal systems establish mechanisms of accountability and regulate the exercise of public authority.

The collected documents were analysed through thematic analysis using four analytical dimensions: legal and ethical obligations, conflicts of interest and disclosure mechanisms, institutional enforcement capacity, and public trust and accountability. The analysis involved identifying relevant provisions, coding documentary materials according to thematic categories, comparing institutional arrangements across jurisdictions, and evaluating their implications for Nigeria parliamentary ethics framework. This procedure follows established qualitative research principles that emphasise systematic familiarisation, coding, theme development, and refinement to ensure that analytical findings remain grounded in documentary evidence ([Naeem et al., 2023](#)). Furthermore, accountability mechanisms within public institutions require not only formal legal provisions but also effective enforcement structures capable of maintaining integrity and public confidence ([Arrassy et al., 2025](#)).

The study is limited by its reliance on documentary materials and does not include primary interviews with legislators, parliamentary ethics officers, civil society organisations, or other affected stakeholders. Therefore, the research does not capture individual experiences or perceptions regarding the practical implementation of parliamentary ethics mechanisms. Nevertheless, the combination of constitutional documents, institutional reports, comparative materials, and scholarly analysis provides a structured basis for evaluating Nigeria legislative ethics framework and identifying potential areas for institutional strengthening. Ensuring effective accountability within legislative institutions remains closely connected to constitutional compliance, equal treatment, and the protection of public trust in democratic governance ([Suryandana & Putra, 2024](#)).

4. Results and Discussions

4.1 Law and Morality in Legislative Governance

The legislature represents one of the clearest institutional meeting points between law and morality. Legislators determine which conduct should be prohibited, permitted, regulated or encouraged. Their decisions therefore inevitably involve judgments concerning social values. However, legislative morality should not be confused with legislating morality in its broadest philosophical sense. A pluralistic society contains competing conceptions of the good life. The responsibility of a democratic legislature is therefore not simply to impose the moral beliefs of the majority on minorities. It is to formulate laws within constitutional limits while balancing legitimate social interests and protecting fundamental rights. Law establishes minimum standards. Morality may demand more: a legislator may avoid conduct that is technically lawful but creates a reasonable perception that public office is being used for private advantage.

The Canadian parliamentary framework captures this distinction particularly well. Its Conflict of Interest Code states that members' private affairs should be arranged in a manner that withstands the closest public scrutiny and recognises that public duties require more than simply acting within the law ([House of Commons of Canada, 2025](#)). This principle is significant for Nigeria. The law asks whether conduct is prohibited; morality asks whether it is worthy of public trust. Legislative integrity requires both questions to be considered.

4.2 Constitutional and Legal Standards Governing Nigerian Legislators

The Nigerian Constitution establishes a broad framework for public-office ethics. The Fifth Schedule contains a Code of Conduct applicable to public officers, including members of legislative houses, and requires asset and liability declarations in accordance with constitutional requirements ([Federal, 1999](#)). The constitutional framework also establishes the Code of Conduct Tribunal to determine breaches of the Code of Conduct within its constitutional jurisdiction. This demonstrates that ethical expectations for public officers are not merely aspirational; certain ethical obligations possess legal consequences.

The National Assembly Code of Ethics complements the constitutional framework. It states that legislators should conduct themselves in an exemplary manner and refrain from behaviour

inconsistent with acceptable social and moral standards as determined within the parliamentary context, and identifies honesty, integrity, transparency and accountability as important standards of legislative conduct ([National Institute for Legislative and Democratic Studies, 2015](#)). Thus, Nigeria already possesses the conceptual foundation for a legislative ethics system. Consistent with the institution-first conception of public integrity, the more difficult question is not whether individual legislators are virtuous but whether the framework is sufficiently integrated, consistently enforced and capable of shaping everyday legislative behaviour ([Kirby, 2021](#)).

4.3 Morality and the Legislative Functions of Lawmaking, Oversight and Representation

Legislators exercise moral judgment when deciding what conduct society should regulate. Yet legislative morality requires impartiality and proportionality. Personal interests, partisan calculations and narrow constituency demands should not automatically determine national legislation. Committee hearings, expert submissions, legislative research and public consultation help transform individual moral preferences into deliberative public policy. The OECD notes that legislative scrutiny and stakeholder consultation are important mechanisms for transparent and accountable lawmaking and for reducing risks of undue influence or policy capture ([OECD, 2025](#)).

Legislative oversight is another area in which morality is important. The legitimacy of oversight depends partly on whether it is conducted for public accountability or diverted towards private, partisan or retaliatory objectives. Recent Nigerian research identifying oversight failures among ethical concerns within the National Assembly illustrates why ethical standards matter in parliamentary scrutiny ([Nyampa & Oshewolo, 2025](#)). Nigerian jurisprudence on the political question doctrine reinforces the ethical stakes of oversight, since courts have not always applied consistent criteria for distinguishing legitimate legislative scrutiny from politically motivated intervention, leaving considerable discretion, and therefore ethical responsibility, with legislators themselves ([Otto, 2022](#)). Representation, similarly, involves balancing constituency interests with national responsibilities; a morally responsible representative cannot treat every constituency preference as automatically superior to the broader public interest.

Furthermore, legislative morality requires continuous reflection on the relationship between authority and responsibility. The power to enact laws and conduct oversight creates an obligation for legislators to consider the long-term consequences of their decisions on democratic stability, social justice, and public confidence. Ethical legislative conduct therefore involves not only avoiding corruption or formal violations but also demonstrating fairness, reasoned decision-making, and commitment to constitutional values. In this sense, parliamentary ethics functions as a mechanism that guides the exercise of discretion by ensuring that legislative power is used for collective interests rather than personal or political advantage. A strong ethical culture within parliament can therefore strengthen institutional legitimacy by ensuring that citizens perceive legislative actions as both legally valid and morally justified.

4.4 Comparative Experience: Canada, Japan, South Korea and Lesotho

Canada provides one of the strongest contemporary examples of institutionalising the relationship between law, ethics and public trust. The House of Commons Conflict of Interest Code establishes that parliamentary service is a public trust and requires members to place public interest ahead of private interests, and the independent Conflict of Interest and Ethics Commissioner administers the Code, provides confidential advice, conducts inquiries into alleged breaches and reports to Parliament ([House of Commons of Canada, 2025](#)). Canada demonstrates three principles relevant to Nigeria: ethical rules should be clear, members should receive advice before breaches occur, and enforcement should not depend exclusively on the political will of legislators themselves. This design is consistent with comparative evidence that conflict-of-interest risk is structural rather than purely a matter of individual honesty, so institutional advice and independent oversight are necessary complements to disclosure rules alone ([Fung, 2025](#)).

Japan provides a different model through its Political Ethics Examination Committee within the House of Representatives, illustrating the institutionalisation of ethical questions within legislative

structures ([House of Representatives of Japan, 2026](#)). South Korea provides a more formalised relationship between ethics and parliamentary discipline, since its National Assembly Act provides for disciplinary measures where members violate constitutional integrity obligations, conflict-of-interest requirements or ethical practice rules, with the Special Committee on Ethics performing a formal role in reviewing relevant conduct ([Korea Legislation Research Institute, 2024](#)). Lesotho offers a particularly relevant African comparison because its parliamentary ethics framework has been developing in recent years, with an Ethics, Code of Conduct, Immunities and Privileges Committee and a 2026 report addressing the development of a dedicated Code of Conduct and Ethics for members, demonstrating that parliamentary ethics is not a static institutional product but a living system requiring periodic review ([National, 2025](#)).

4.5 Comparative Summary

Table 1. Comparative legislative ethics architectures and accountability mechanisms across selected jurisdictions

Jurisdiction	Principal Ethics Mechanism	Independent Advisory or Investigative Body	Consequence for Established Breach
Canada	Conflict of Interest Code for Members	Independent Conflict of Interest and Ethics Commissioner	Investigation, public report, possible sanction
Japan	Political Ethics Examination Committee	Dedicated parliamentary ethics committee	Committee-based examination and recommendation
South Korea	National Assembly Act ethics provisions	Special Committee on Ethics	Formal disciplinary measures
Lesotho	Emerging Code of Conduct and Ethics	Ethics, Code of Conduct, Immunities and Privileges Committee	Framework under active development
Nigeria	Fifth Schedule Code of Conduct; National Assembly Code of Ethics	Code of Conduct Tribunal; internal ethics committees	Tribunal proceedings; limited routine enforcement

Table 1 summarises the comparative legislative ethics architectures examined in this study. The table sets out, for each jurisdiction, the principal ethics mechanism, whether an independent advisory or investigative body exists, and the nature of the consequence attached to established breaches. The comparison shows a consistent pattern: jurisdictions with more developed legislative ethics systems combine a defined standard, an institutional home for ethical questions, and a credible consequence for violation, whereas systems lacking any one of these three elements tend to function primarily as declaratory statements rather than operative safeguards, a finding directly consistent with the comparative literature on integrity system robustness ([Hoekstra et al., 2022](#); [Wickberg, 2025](#)).

4.6 Law, Morality and Conflict of Interest in Nigeria

Conflict of interest represents perhaps the clearest area where law and morality overlap. A conflict may arise where a legislator's private interest intersects with official responsibility. The legal response may involve disclosure, recusal or prohibition. The moral question is broader: even where no legal violation has occurred, would a reasonable citizen perceive that the legislator's judgment may have been compromised? Canada's parliamentary framework explicitly seeks to maintain public confidence by requiring members to place public interest above private interests and to manage foreseeable conflicts before they become actual conflicts ([House of Commons of Canada, 2025](#)). Comparative conflict-of-interest scholarship reinforces why this preventive emphasis matters, since officials rarely recognise their own compromised judgment in the moment, making ex ante disclosure and advisory mechanisms considerably more effective than reliance on post hoc self-assessment ([Fung, 2025](#)).

Nigeria's constitutional asset-declaration system provides an important foundation, but asset declaration alone cannot address every form of legislative conflict. Financial interests, family relationships, outside activities, gifts, hospitality, sponsored travel and relationships with entities affected by legislation may also require ethical management. A modern Nigerian legislative ethics framework should therefore distinguish between prohibited interests, which are unlawful, disclosable interests, which may be lawful but require transparency, manageable interests, where recusal or other safeguards may be appropriate, and appearance-based risks, where conduct may not technically violate a rule but could significantly undermine public confidence. This layered approach would bring legislative ethics closer to contemporary international practice.

4.7 Legislative Morality and Public Resources

The management of public resources is another area in which law and morality intersect. Appropriation is a constitutional legislative function, but ethical responsibility requires legislators to distinguish public expenditure from personal or political advantage. Constituency projects provide an important example. Legislators have legitimate representational responsibilities and may advocate for development in their constituencies. However, ethical concerns arise if constituency allocations become vehicles for personal enrichment, preferential contracting or political patronage. Recent Nigerian scholarship identifies questionable constituency projects and budget-related concerns among perceived ethical challenges within the National Assembly ([Nyampa & Oshewolo, 2025](#)). Comparative research tracing the international laundering of illicitly acquired Nigerian public funds demonstrates the scale of harm that can follow when public-resource oversight fails at the domestic legislative and institutional level, since such funds frequently depend on a chain of enablers whose disruption requires exactly the kind of transparent, well-governed domestic institutions that legislative ethics reform seeks to build ([Prelec & de Oliveira, 2023](#)). These findings reinforce the need for transparent procedures that allow citizens to distinguish legitimate constituency representation from personal benefit.

4.8 Legislative Immunity, Privilege and Morality

Legislative privilege is important because legislators must be able to debate controversial matters without fear of retaliation. Parliamentary privilege therefore protects the institutional independence of the legislature. However, privilege should not be interpreted as a general exemption from ethical responsibility. Excessive or abusive invocation of privilege can damage public trust. Ethical legislative practice requires members to exercise institutional protections for legitimate parliamentary purposes. Canada's parliamentary ethics system, for example, expressly regulates conflicts of interest and conduct while recognising the institutional privileges of members ([House of Commons of Canada, 2025](#)).

4.9 Ethics, Political Parties and Legislative Morality

Legislators are simultaneously constitutional actors, elected representatives and members of political parties. This creates an inherent ethical tension between party loyalty and independent judgment. Party discipline is legitimate within democratic politics, but ethical legislative responsibility requires members to consider constitutional duties and the public interest. This is particularly important where legislation affects fundamental rights or constitutional institutions, since the moral legitimacy of a vote cannot be assessed solely by whether it conforms to party instructions. Comparative research on constitutional amendment legitimacy in Africa reinforces this point, arguing that even formally proper legislative change loses legitimacy where it reflects narrow party or factional interest rather than genuine broad consensus, a caution equally relevant to ordinary legislative votes with significant constitutional implications ([Abebe, 2024](#)). A mature legislative ethics system should therefore protect legitimate political association while making clear that elected office is ultimately a public trust.

4.10 Why Law Alone Cannot Produce Ethical Legislators

The existence of legal rules cannot guarantee ethical conduct. Laws can prohibit bribery, require declarations and establish disciplinary procedures, but they cannot anticipate every ethically questionable situation. This is why contemporary integrity systems combine rules with ethical guidance, advisory mechanisms, disclosure, institutional culture and public scrutiny. Canada's model

is instructive because the Ethics Commissioner does not merely investigate; the office also provides confidential advice to legislators on their obligations ([House of Commons of Canada, 2025](#)). Contemporary virtue-ethics scholarship reinforces the underlying reason why rules alone are insufficient: ethical practice is inherently collaborative and contextual, requiring judgment that detailed rules cannot fully anticipate, and is best cultivated through institutional culture rather than compliance checklists alone ([Bernacchio et al., 2023](#)). The lesson for Nigeria is that ethical governance should become preventive as well as punitive.

4.11 Transparency, Technology and Public Accountability

Transparency mechanisms are increasingly understood to extend beyond static disclosure registers. Comparative research on whistleblower-protection effectiveness demonstrates that the formal existence of protective legislation is a poor predictor of whether officials and citizens can safely report misconduct in practice, underscoring that Nigeria's own whistleblower and disclosure mechanisms require active institutional support rather than statutory existence alone ([Kaciku Baljija & Min, 2023](#)). Emerging theoretical proposals for technology-enabled citizen accountability platforms, while still largely conceptual, illustrate a growing global interest in direct citizen participation in oversight through complaint submission, data auditing and investigative reporting functions ([Arafat & Fahmida, 2025](#)). For Nigeria, such mechanisms could usefully complement, though not replace, the National Assembly's own institutional ethics architecture.

4.12 Major Challenges to Legislative Morality in Nigeria

Nigeria possesses constitutional and parliamentary ethics standards, but formal rules alone do not guarantee compliance. The existence of the National Assembly Code of Ethics alongside continuing concerns about legislative ethics illustrates this institutional gap ([National, & Democratic, 2015](#); [Nyampa, & Oshewolo, 2025](#)). Ethical standards have limited deterrent value if violations are not investigated and addressed consistently, and enforcement should be predictable rather than dependent on political affiliation or institutional convenience. Broader Nigerian scholarship on the operation of separation of powers across the Fourth Republic finds a comparable pattern, in which formal constitutional guarantees of institutional independence and accountability have not always translated into consistent practice ([Durotolu & Oladele, 2024](#)). Modern legislative work also involves extensive interaction with businesses, professional associations, civil society organisations and government agencies, and without effective disclosure and management systems, such relationships can create actual or perceived conflicts, while electoral politics can create pressure to distribute public benefits according to political loyalty rather than objective criteria.

Repeated allegations of unethical behaviour can damage public confidence even where individual allegations are unproven, a concern reinforced by comparative governance research linking institutional legitimacy directly to perceptions of procedural fairness and by research on institutional distrust showing that eroded public confidence can become trapped in a self-reinforcing cycle ([Koeswayo, Handoyo, & Hasyir, 2024](#); [Tiwa, 2024](#)). Finally, legislators enter office with different professional, political and institutional backgrounds, so ethics should not be assumed to be understood uniformly. Contemporary parliamentary practice increasingly combines ethical rules with induction, guidance and continuing education ([House, 2025](#)).

4.13 Findings

The study makes six principal findings. First, law and morality are distinct but complementary dimensions of legislative governance. Law establishes enforceable minimum standards, while morality provides broader principles for responsible exercise of public authority. Second, Nigeria already possesses a substantial legal and ethical foundation for legislative integrity through the Constitution's Code of Conduct provisions and the National Assembly's Code of Ethics. Third, the principal challenge is not necessarily the complete absence of ethical rules but the gap between standards and implementation, as recent Nigerian scholarship continues to identify ethical concerns affecting legislative processes, transparency, oversight and public trust ([Nyampa & Oshewolo, 2025](#); [Suberu, 2022](#)). Fourth, comparative systems demonstrate that legislative ethics becomes stronger when ethical standards are supported by independent advice, disclosure, investigation and enforceable

consequences, a conclusion reinforced by comparative evidence on the structural nature of conflict-of-interest risk and the uneven robustness of formal integrity systems ([Hoekstra et al., 2022](#)). Fifth, Japan, South Korea and Lesotho demonstrate that different constitutional systems can institutionalise parliamentary ethics through dedicated ethics committees and parliamentary procedures rather than relying exclusively on criminal law or courts. Sixth, legislative morality should be understood institutionally, consistent with the institution-first conception of public integrity, such as ethical behaviour is more sustainable when rules, incentives, transparency, independent advice, public scrutiny and credible enforcement operate together ([Kirby, 2021](#)).

4.14 Discussion of Findings

The findings demonstrate that Nigeria should avoid two extremes. The first is legalism, which assumes that conduct is acceptable whenever it is not expressly prohibited by law. Such an approach is inadequate for public office because many decisions involve circumstances not anticipated by legislation. The second is moral subjectivism, which assumes that individual or partisan moral beliefs should determine legislative conduct. Such an approach would be dangerous in a pluralistic democracy because legislators hold diverse values. The appropriate position lies between these extremes. Legislative ethics should be grounded in objective public principles: integrity, public interest, impartiality, transparency, accountability, respect for constitutional institutions and responsible stewardship of public resources.

Canada demonstrates the value of translating these principles into specific institutional mechanisms. The Conflict of Interest Code does not merely tell legislators to be good; it defines private interests, requires disclosure and establishes an independent commissioner capable of conducting inquiries ([House of Commons of Canada, 2025](#)). South Korea demonstrates the value of disciplinary mechanisms, since its parliamentary framework provides formal consequences for breaches of ethical principles and conflict-of-interest obligations ([Korea Legislation Research Institute, 2024](#)). Japan demonstrates the value of a dedicated ethics forum, while Lesotho demonstrates that parliamentary ethics systems can continue evolving in response to contemporary governance needs ([House of Representatives of Japan, 2026](#); [National Assembly of Lesotho, 2026](#)).

For Nigeria, the implication is that legislative ethics should not be reduced to the Code of Conduct Tribunal or criminal prosecution. Those mechanisms remain important, but they operate primarily after suspected misconduct has occurred. A modern legislative integrity system should also provide preventive ethics advice, disclosure, conflict management, continuous education and institutional monitoring, an emphasis consistent with the France experience showing that formal oversight architecture without vigorous enforcement still leaves significant compliance gaps ([Wickberg, 2025](#)). Comparative constitutional scholarship on judicial restraint offers a related caution for any future adjudicative role played by the code of conduct tribunal or the courts in legislative ethics matters: even judges committed in principle to restraint have historically struggled to apply it consistently once a dispute engages contested political stakes, underscoring the value of clear, rule-based ethics standards that leave less room for inconsistent adjudication ([Carle, 2023](#)). Indonesian constitutional experience with candidate age-eligibility litigation offers a further illustration of this risk, showing that a court's own characterisation of an ethics-adjacent question as a matter for the political branches can itself generate controversy about institutional overreach in the opposite direction ([Ate, 2024](#)). The most important conceptual conclusion is therefore that morality should not be used to replace law; rather, morality should inform the ethical culture within which law is made and exercised.

4.15 Recommendations

Building on these findings, the study offers four practical recommendations. The National Assembly should strengthen and periodically review its legislative code of ethics to align it with contemporary parliamentary integrity standards, with the National Assembly, in collaboration with the National Institute for Legislative and Democratic Studies, undertaking a comprehensive review of the existing code covering conflicts of interest, gifts, outside interests, sponsored travel, lobbying, use of public resources, respectful conduct and post-office obligations, and with the senate and house committees on ethics, code of conduct and public petitions developing clear procedures for receiving, assessing

and resolving alleged ethical breaches. The National Assembly should also institutionalise a stronger conflict-of-interest disclosure and advisory system for legislators, establishing a transparent register of relevant legislative interests supported by periodic disclosure and procedures for declaration or recusal, with confidential pre-decision ethics advice provided to legislators before participation in sensitive legislative, oversight or appropriation matters.

The National Assembly should embed ethical assessment within major legislative and oversight processes, including an ethics and public-interest assessment when considering bills and oversight matters with significant financial, regulatory or institutional implications, and ensuring that committee reports identify material conflicts of interest, stakeholder concerns and safeguards adopted to protect the public interest. Embedding ethics assessment in this way also requires genuine coordination between committees, the Clerk's office and ethics bodies rather than fragmented parallel processes, and network-governance research from outside the legislative sector confirms that such coordination failures typically originate in weak connective protocols between formally separate institutional units rather than in the incapacity of any single unit, a lesson directly transferable to inter-committee ethics coordination ([Zainudin, Raditya, Rizki, Setiawan, Fatkhuri, & Ridwan, 2025](#)). Finally, the National Assembly should institutionalise continuous ethics, integrity and public-trust education for legislators, with mandatory induction and periodic continuing education on legislative ethics, constitutional responsibilities, conflicts of interest, public resources and responsible representation, and with periodic institutional ethics and integrity reports published containing aggregated information on training, disclosures, complaints and resolved ethical matters, while protecting legitimate privacy and due-process rights.

5. Conclusions

5.1 Conclusion

The Nigerian legislature operates at the intersection of law, politics, and morality. Although legislators possess constitutional authority to create binding rules, they exercise public power as trustees and therefore must uphold both legal obligations and ethical standards. Law provides the minimum enforceable requirement, while morality guides responsible public conduct and helps maintain public trust. Nigeria has established important foundations through constitutional provisions on public officers' conduct and the National Assembly's commitment to integrity, transparency, accountability, and democratic values. However, the main challenge remains transforming these principles from formal declarations into effective institutional practices.

Comparative experiences demonstrate different approaches: Canada emphasises independent ethics oversight, Japan highlights parliamentary ethics mechanisms, South Korea links ethical standards with disciplinary procedures, and Lesotho illustrates the development of parliamentary ethics within an African constitutional context. For Nigeria, the objective is not to replace law with subjective morality, but to ensure that law, ethics, and accountability operate together. Ultimately, legislative integrity depends not only on the laws produced by the National Assembly but also on the ethical processes through which public power is exercised.

5.2 Research Limitations

This study is subject to several limitations. Its qualitative documentary design does not incorporate primary interviews with legislators, ethics officers, civil society organisations, journalists or citizens who might offer direct insight into how legislative ethics standards are perceived and experienced in practice. The analysis therefore reflects the formal constitutional and institutional framework and its documented application rather than a verified account of everyday legislative conduct. The comparative analysis, while illustrative, is limited to four jurisdictions selected for their distinctiveness from conventional comparators and does not claim to represent the full diversity of global approaches to legislative ethics. Finally, because allegations of ethical misconduct are often contested and politically sensitive, the study relies on published scholarly and institutional sources rather than independent verification of specific allegations against named individuals.

5.3 Suggestions and Directions for Future Study

Future research should pursue empirical investigation of how Nigerian legislators, staff and citizens perceive the National Assembly's existing Code of Ethics, including survey or interview-based research capturing awareness, perceived enforcement and confidence in existing mechanisms. Doctrinal and institutional research should track the practical operation of the Code of Conduct Tribunal and any future conflict-of-interest disclosure register, to assess whether formal mechanisms translate into consistent enforcement. Comparative research could usefully extend beyond the four jurisdictions examined here to include additional legislatures that have recently reformed their ethics architecture. Finally, future research should examine whether technology-enabled transparency and citizen-oversight mechanisms, of the kind explored conceptually in recent scholarship, could be meaningfully adapted to the Nigerian legislative context without compromising due process or legitimate privacy interests.

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