



## E-Governance and the Dispensation of Justice in Nigeria's Legal System. Challenges and Prospect

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### Abstract

*The emergence and introduction of electronic technology envisages a more result-oriented and effective service delivery system in Nigeria's public sector. With its attendant challenges, it has become debatable that the phenomenon of e-governance has recorded considerable improvement in service delivery in Nigeria's public service. The Nigerian judiciary which is an integral part of Nigeria's public sector has in recent time embraced electronic technology in its transactions towards achieving effective and efficient service delivery. It is envisaged that the introduction and adoption of electronic technology in Nigeria's judiciary would be of great significance to service delivery and dispensation of justice. The paper examines the effects of e-governance and electronic technology on Nigeria's jurisprudence; service delivery and dispensation of justice in Nigeria's judiciary. Also, the paper observes the likely challenges and hindrances in the application of electronic technology in Nigeria's legal system, measures to tackle the challenges and the prospect of achieving full scale digitalized jurisprudence.*

**Key words:** e-governance, electronic technology, service delivery, judiciary, jurisprudence, legal system

### Introduction

E-governance or electronic governance is facilitated by the aid of supersonic technology mainly for the purpose of improving on delivery of services in the public and private sectors. However, in recent times, the phenomenon of e-governance has been elevated essentially to enhance the delivery of government services and overall governance. E-government (known for electronic government) relies on the use of technology devices, such as computers and the Internet, and digital platforms like websites, portals, and mobile apps for faster means of delivering public services and to make information and services more accessible to citizens and businesses, ultimately aiming for greater efficiency, transparency, and citizen participation (Munir, Sadiq, Abbas and Rasul, 2024)

E-governance is believed to have been birthed when electronic government was initiated by the National Partnership for Reinventing Government (NPR) in 1993 during the Clinton administration in the United States. The NPR pioneered government innovation through information technology, distinguishing it from past administrative reforms. The U.S. concept of e-government, championed by the NPR, went beyond simple cost-cutting or downsizing. It focused on a broader government reform movement designed to improve public satisfaction and deepen democracy (Chung, 2020).

In Nigeria, the advent of e-governance coincided with the return of the country's return to democracy in 1999. This ultimately led to subsequent recognition of Information and Communication

Technology (ICT) as a policy of national importance in 2001; the development of government websites and the implementation of e-government strategies aimed at enhancing transparency, efficiency, and citizen participation in governance. In the early 2000s, the federal government of Nigeria announced the initiative of the government to go digital to enhance the operation of the government in providing public services in a transparent, effective and efficient means (Abdulkareem and Ishola, 2016). The evolution of e-governance in Nigeria has no doubt marked a turning point in the country's efforts to modernize and enhance administrative efficiency. An era where the Nigerian government leveraged information technology to streamline and modernize public service delivery. In the last few years, Nigeria has made significant strides in embracing e-governance, driven by the need to address challenges associated with traditional bureaucratic systems (Abdul, 2024)

The introduction of e-governance in public administration in Nigeria transcends beyond mere government effort towards effective and efficient service delivery. It has grown to encompass the broader concept of e-participation. Adegboyega and Iahad (2018) highlighted the potential of electronic platforms to facilitate citizen engagement in policymaking and decision-making processes. This shift towards participatory governance underscores the transformative impact of e-governance on the traditional dynamics which takes place in the relationship between the government and its citizens. Onuoha (2018) emphasized the role of e-governance

in overcoming bureaucratic bottlenecks, reducing corruption, and enhancing citizen engagement. The adoption of digital platforms has allowed for the automation of various government processes, optimizing time and resource usage for service delivery. Additionally, the integration of technology in government operations has contributed to a more transparent and accountable public administration. At various times, the Nigerian government has advocated and pushed for the enactment of a comprehensive e-Government Law and has initiated projects under the Digital Nigeria Programme to improve digital access and transparency. This includes public financial management initiatives, such as the Integrated Payroll and Personnel Information System (IPPIIS) and the Treasury Single Account (TSA) which are aimed at improving

### Conceptualization

Three major concepts will be defined. They are e-governance, service delivery and Nigeria's judiciary

#### 1. E-governance

- assign decision-making authorities, define how decisions are to be made, and establish the organization's strategic direction;
- oversee the delivery of its services; the implementation of its policies, plans, programmes, and projects; and the monitoring and mitigation of its key risks; and
- report on its performance in achieving intended results and use performance information to drive ongoing improvements and corrective actions (accessed @ <https://www.caaf-fcar.ca/en>)

Electronics however, is concerned with or using devices that operate on principles governing the behaviour of electronics. An electronic device has transistors or silicon chips which control and change the electric current passing through the device. Thus, an electronic process or activity involves the use of electronic devices. The function of an electronic device is to regulate the flow of electrical current to process and manage information, enabling functions like computing, communication, and automation. Unlike electrical devices that convert energy into heat or motion, electronic devices use active electronic components such as transistors and integrated circuits to perform complex tasks and make decisions (@ <https://www.collinsdictionary.com>).

efficiency and accountability within public institutions, indirectly impacting the legal system. Interestingly, the phenomenon of electronic governance has been deployed to various aspects of public administration in Nigeria even in Nigeria's judiciary. Since the advent of e-governance in Nigeria, the judiciary has embraced and continued to effectively utilize the instrumentality of e-governance particularly in the realms of providing evidence – electronic evidence, in the court. The paper takes a look at the application of Information Communication Technology (ICT) to public administration in Nigeria with emphasis on the Nigerian legal system and judiciary as a matter of primacy.

E-governance is somewhat an acronym for electronic governance and it will be expedient and more meaningful to clarify them separately.

Governance refers to the structures, systems, and practices an organization has in place to:

E-governance thus can simply be defined as provision of government services and information to the public using electronic means. Such means of delivering information is often referred to as Information Communication Technology (ICT). Use of ICT in government facilities is considered an efficient, speedy and transparent process for disseminating information to the public and other agencies, and for performing government administration activities, with varying emphasis: (Molla, @ (<https://www.academia.edu>))

Essentially, e-governance can be described as the process by which society, through the growing influence of ICTs fundamentally changes and affects how private enterprises and civil society organizations operate (<https://www.caaf-fcar.ca/en>). Computer is the pivot of ICT and computer simply put is a device that is used to perform tasks and stores and retrieves information and data. Computer simply follows instructions given to it hence the adage in computing parlance 'garbage-in- garbage-out'. ICT refers to processing of data via computer; the use of technologies from computing, electronics, and telecommunications to process and distribute information in digital and other forms. (Abubakar, 2018).

#### 2. Service Delivery

Generally, service delivery is the provision of a service to a customer or client, encompassing all the activities and steps involved in fulfilling a customer's needs and expectations. It is a core function of businesses and organizations, especially those providing intangible services, and is crucial for customer satisfaction and building strong relationships. However, within the context of our discussion, service delivery involves the series of steps taken to provide a

service that will meet or exceed the expectation of the beneficiaries (general public) (Shittu, 2020). According to Ogunna (2004), effective public service delivery is the result of government efforts to satisfy the public by implementing sound policies, enforcing laws, and promoting public welfare.

Over the years, service delivery has remained critical and cardinal **to government institutions** and the desire to achieve effective and efficient delivery of service by successive governments in Nigeria has made the adoption of electronic device such as ICT inevitable. The introduction and utilization of ICT in the provision of public service has gained a global appeal and its introduction in Nigerian public sector is to facilitate the fair and transparent distribution of government services, ensuring equal treatment and justice for all citizens without prejudice (Shittu, 2020).

### 3. Nigeria's Judiciary

The *Black's Law Dictionary* defines the judiciary as the branch of government responsible for interpreting laws and administering justice through its court system and body of judges. (<https://thelawdictionary.org>). In Nigeria, and in many other democracies, the judiciary is the third arm of the realm of government. It is the only branch not made up of elected representatives, but of persons appointed to perform the very fundamental role of adjudication in society. The judiciary according to Nnamani, is the branch of government empowered to interpret, clarify, and apply the law. Justice Nnamani further described its crucial function, stating that it serves as the guardian of the constitution and the rule of law, while also protecting fundamental rights. These definitions illustrate the judiciary's role as the holder of judicial power, the scope of which varies between different societies (accessed @ <https://www.learnnigerianlaw.com>).

In a more explicit term, the judiciary in Nigeria pertains to the system of courts where legal processes take place. The judiciary pertains to the administration of justice which defines the primary functions of the judiciary and determines how fairly the laws are applied and interpreted in specific cases.

#### E-Governance and Justice Delivery in Nigeria

Unarguably, the technological changes of the 20th and 21st centuries, the growth of computer technologies, digital technologies and telecommunications have changed the way the state conducts its functions and delivers governance. Whether or not they have improved the welfare function of the state, the way governance is delivered has been altered. Thus we are going to look at the enhancements and the progress e-government has brought to the administration of justice in Nigeria and the hindrances therein.

Before the introduction and application of ICT to public service delivery in Nigeria, the judicial process and particularly the courtroom has been a place of formal and dignified conduct, conservativeness and the one that revolts against innovation. In the past two decades, Judges and Lawyers had pondered over the application of Information and Communication Technology in the judicial and legal processes and have asked questions on whether ICT could ever work or be applied in a court of law. Prior to the ICT era, when rendering decisions, judges consider a blend of factors: the case records, the legal briefs, the arguments presented by lawyers, and their own interpretation of the law and relevant policy. The Legal and Judicial Process essentially entails various levels of information gathering and communication between stakeholders and the conventional practices and procedures are prone to causing undue delays in justice dispensation. With the sheer volume of data and heavy workload in legal proceedings, integrating ICT into the judicial process is essential for improving efficiency and streamlining legal research, reduce if not eliminate inaccuracy, major and avoidable delays in justice dispensation, promote transparency and integrity, and allow for easier information retrieval and in the long run reduce stress and enhance the health of judicial officers. The advent of court room technology as a means for presenting evidence before everyone in the courtroom has put to fore the inevitability of technological revolution in the justice process and system. It has therefore become imperative for the Nigerian Judiciary and the entire legal system to embrace ICT in its goal of delivering quality services (Abubakar, 2018).

E-governance application in Nigeria's judiciary is in its nascent stages, with a few instances like virtual court sessions and e-filing attempts. Law, being an index of societal values depends greatly on the flow of information. Consequently, the form and content of law has continuously changed to conform to the communicative device available at any particular time. The legal systems and contemporary judicial structures in place today are the outcome of centuries of development, with the prevailing communicative structure of each era influencing both the form and content of law. The rapid development of technology opens up new opportunities that were unthinkable only a few years ago. To what extent has the ICT been applied in the judiciary and in the dispensation of justice in Nigeria?

A new era in public service delivery began with the emergence of Information and Communication Technology (ICT) toward the end of the 20th century. (Cerrillo and Fabra, 2008). The deployment of ICT has significantly improved labour productivity as well as processing and dispensing vital information particularly in the public service. Similarly, the utilization of ICT in Nigeria's jurisprudence is evident in many ramifications. For example, with the

introduction of electronic technology, judicial and law officers can now access various online legal research outlets which include MyLaw.ng - for in-depth legal research and content and direct legal assistance; aptResponse and LawPadi - connect users with verified lawyers and provide tools for legal guidance and document generation; LFN App - provide mobile access to Nigerian laws, while others such as Case Radar offer AI-powered legal advisory and document generation services (<https://www.google.com/search?client=firefox-b-e&q=online+legal+platforms+in+nigeria>).

Other legal internet outlets that have been boosted by the ICT are LawPavilion - an extensive online and offline legal research platform with case law, statutes, and analytical tools; Legalpedia - A legal research database providing access to Nigerian case law, statutes, and regulations; **PACER Nigeria** - An online database for accessing Nigerian court records, case information, and filings; vLex - A platform to search and access legal cases from Nigeria; Clio - A cloud-based software for case management, document automation, time tracking, billing, and client communication, adaptable for Nigerian firms; Trello or Notion - General task and workflow management tools for organizing legal work, tasks, and deadline (<https://www.google.com/search?client=firefox-b-e&q=online+legal+platforms+in+nigeria>), and the NigerianLawGuru.com - A resource center for legal scholars and practitioners with legal research materials; The NigerianLawGuru.Com is one of Nigeria's premier site designed to serve all legal research and reference needs. Also, the site is designed to project the legal profession in the right direction within the context of legal research, and to facilitate and stimulate measures to sustain the pragmatic ideals of continuing legal education in Nigeria (<https://nigerianlawguru.com/>).

The oldest Law report, and perhaps one of the most credible, popular and patronized legal materials in Nigeria, The Nigerian Weekly Law Reports (NWLRL) launched its online version around January 2020. Chief Ganiyu Oyesola Fawehinmi founded the NWLRL publication in 1985 while the online platform was introduced to increase accessibility for legal professionals and students. The online version of the Nigerian Weekly Law Reports became necessary with the advent of Information and Communication Technology and to provide lawyers, judges and law students easier access to the Nigerian Weekly Law Reports, often referred to as "the legal profession's bible," (<https://punchng.com/nigerian-weekly-law-report-goes-online/>)

No doubt, the creation and availability of the numerous online legal platforms mentioned above has significantly impacted on the legal profession and the justice system in Nigeria. Also, the availability of internet services has brought about the possibility of consulting online legislation and case

law, the use of electronic filing, the electronic exchange of legal documents and conducting virtual hearings or video conference around the world and particularly within Nigeria's legal system (Ibekwe and Onwuatuwegwu, 2021).

Although there appears to be a consensus among stakeholders for the adoption and adaptation of electronic technology in Nigeria's jurisprudence, the measures taken so far towards the application of electronic technology in the administration and dispensation of justice in Nigeria remains vapid and unenthusiastic on the part of the drivers of the Nigerian judiciary (Olugasa and Davies, 2022). Considering Nigeria's global political standing particularly in Africa and the fast pace of technology, it is expected that the court system should dematerialize itself as evident in other activities (Sourdin, Li and McNamara, 2020). However, in an effort to introduce and apply electronic governance in Nigeria's legal system, several states in Nigeria have introduced e-payment in their judiciaries. For example, the state of Akwa Ibom in South East Nigeria became the first to introduce online e-payments in its judiciary arm for all legal fees. The state has procured an e-Judiciary Enterprise Resource Planning (ERP) system, a digital application designed to manage all court processes. In Akwa Ibom, electronic payments for court fees, fines, and judgment debts are now possible online. The state has also implemented an online system for filing cases, as well as a judiciary e-library for virtual research and studies, which is accessible for a small fee. (<https://paymentsafrika.com/nigerian-state-pioneers-e-payment-in-judiciary>)

The Lagos State Judiciary has enhanced its Electronic Filing System (EFS) by integrating an e-payment platform. This upgrade is designed to accelerate the filing and processing of cases and to reduce the number of physical visits lawyers and litigants need to make to the High Court Registry. (<https://infrastructuremag.com.ng/2020/06/17/lagos-judiciary-upgrades-electronic-filing-system-with-e-payment>).

In 2024, Ogun State in South West Nigeria launched a new E-Registry Platform to reduce backlogs and streamline case management; to make the process more effective and efficient. towards ensuring transparency of court processes in the State Judiciary. The E-Registry platform which was implemented as a key component of the Ogun State Chief Judge's seven-point agenda was meant to fully digitalize the state's judiciary. The platform includes features such as E-filing, E-service, E-payment, as well as Case assignment and Management profiles was for the purpose of enhancing the efficiency of court proceedings while bolstering the security of court processes, leading to faster delivery of justice. The Ogun State E-registry aims to enhance the safety of court processes and accelerate the delivery of justice.

By digitalizing the judicial process, it is expected to increase judicial independence and prevent undue interference and bribery between court officials and litigants or counsel. This eliminates opportunities for exploitation arising from loopholes in the manual system. The e-registry platform will enable the public, litigants, and legal counsel to remotely track the progress of cases, from initial filing to online assignment. This capability allows individuals to manage case processes from their homes or offices, mitigating the security (<https://ogunstatejudiciary.gov.ng/judiciary-launches-e-registry-to-avert-backlog>).

The Edo State Judiciary has been on a modernization drive, implementing various technological and structural reforms to enhance the administration of justice. This features of this modernization drive includes implementing online payments as part of a broader Edo State online payment system to facilitate service payments. The Edo state e-payment as it applies to the judiciary has been active and utilizing unique "IND" numbers for payments via POS terminals with debit cards (<https://edojudiciary.gov.ng>).

Although, the introduction and adoption of electronic technology and Remote Court Proceedings (RCP) in Nigeria's judiciary has resulted in significant development across jurisdictions, the Nigerian experience seems to be that of a crawling snail owing to a number of challenges. The challenges range from infrastructural deficit, poor funding and regulation. Indeed, various reasons were also given amongst commonwealth countries such as Canada, Australia and Kenya to explain the slow adoption of RCP in their various jurisdictions including the need to preserve the adversarial system, the cost of technology, lack of internet access, the likely impact on judges as they assess witnesses and their evidence, the need to preserve the posture and clarity of roles of the various parties to a suit. So far, it is noted that despite the identified challenges, some jurisdictions including Australia and Singapore continue to accept the promises of RCP and are looking to improve upon and make its adoption a permanent feature in their adversarial system (Olugasa and Davies, 2022).

### **Prospects and Challenges of Adopting Electronic Technology in Nigeria's Judiciary.**

Since the advent of electronic technology within government institutions, there has been some appreciable level of enthusiasm and drive in its application to governance and public service delivery. In Nigeria, ICT is increasingly becoming indispensable in all fields of human endeavour and in all facets of life. This is to the extent that ICT is widely applied to simple tasks, such as scheduling a doctor's visit, booking a travelling ticket at the Airports and at the Train stations, or purchase of recharge card, to the most complex operations of

major organizations and governments (Abubakar, 2018).

The penetration of the judicial systems by Technology has redefined the way evidence(s) are obtained, changed ways of investigating crimes, gradually altering the legal climates around the world. Changes occasioned by the advent of technology are evident around the globe. Consequently, various legislatures altered their laws to include use of electronic evidence which formed part of the facts in dispute between litigants as evidence in legal proceedings. For instance, in 2000 India amended its Evidence Act 1892 to allow electronic evidence in legal proceedings. This development has served as an impetus to the Nigerian jurisprudence. As noted previously, some jurisdictions, such as Australia and Singapore have continued to accept the promises of ICT and Remote Control Proceedings (RCP) and are looking to improve upon and make its adoption a permanent feature in their adversarial system (Olugasa and Davies, 2022).

But what are the prospects of E-governance in Nigeria's judiciary? With what has been achieved so far in some the federating units as highlighted above, it is convenient to predict that E-governance holds significant promise for increasing efficiency, transparency, and accessibility through the adoption of ICT in judicial processes, including electronic filing, case management systems, and online collaboration tools. Key prospects include reduced procedural duration, enhanced record security, and improved communication between judicial stakeholders, ultimately contributing to a more accountable and responsive justice system. The application of ICT in courts can streamline administrative processes, speed up case management, and reduce the duration of legal procedures. E-governance facilitates easier access to case information and court schedules, which benefits litigants and lawyers. The introduction and application of electronic transaction in Nigeria's judiciary will engender electronic filing systems that protect court records and allow for their easy retrieval, minimizing the risk of data loss or damage. Technologies like videoconferencing and online collaboration tools can reduce the workload of judges and judicial officers. ICT can accelerate the flow and exchange of information between courts, prosecutors, and other stakeholders, helping to meet judgment deadline

(<https://www.google.com/search?q=on+the+prospects+of+egovernance+in+nigeria%27s+judiciary&client=firefox/>). Essentially, with the introduction of the E-payment of filing fees in some of our courts particularly in south Nigeria, the expansion of internet services and the possibility of consulting online legislations and case laws is anticipated. We are likely going to experience more of electronic exchange of legal documents that will spur the

judiciary in Nigeria into a more effective and efficient one (Ibekwe and Onwuatiegwu, 2021).

In Nigeria, the growing adoption of information technology in commercial and financial transactions has led to the tendering of electronically generated documents in court as evidence. The Evidence Act in Nigeria has been amended several times to promote the tendering and admissibility of electronic evidence in Nigerian courts. For example, the Evidence Act 2004 was repealed due to complexities arising from interpretations by the courts as to what constitutes electronic evidence. In its place, the Evidence Act 2011 was enacted. Under Section 84 of Nigeria's 2011 Evidence Act, electronically generated evidence is admissible in court. On 12th June, 2023, an Amendment Act on evidence was signed into law. Amongst other things included in the amendment are the admissibility of electronic records and computer simulations, authentication of electronic records, use and proof of digital signature, electronic oath taking, electronic gazette and also gives the Minister of Justice the right to create regulations governing admissibility when there appears to be a lacuna in the law (Oluwajobi and Fatimehin, 2024).

At present there is inadequate accessibility of internet services particularly in the rural areas. However, the tide is changing due to the influx of affordable smart phones and constant expansion of telecommunications companies and operations. With greater access to the internet, more individuals can educate themselves on their rights and the workings of the justice system.

Stakeholders and parties to suits are now able to participate in virtual court sittings from their comfort zones. The application of electronic technology and ICT in Nigeria's judiciary has enabled the development of online legal research tools like LexisNexis, LegalPedia and Law Pavilion. With the creation of these outlets, the burden of research has been reduced considerably due to easy accessibility of the internet (Abubakar, 2018 and Ibekwe and Onwuatiegwu, 2021).

Irrespective of the identified merits of the utilization of ICT in Nigeria's jurisprudence, the application of computers still presents difficult problems and challenges to the legal system. The challenges essentially have to do more with failure of the legal profession to fully embrace IT and deploy same towards the development of Nigeria's jurisprudence. Added to this is the challenge of inadequate legal framework to regulate the use and application of electronic technology in Nigeria's judiciary. The exponential growth of electronic usage in global transactions has created new challenges to existing laws. Some of the legal solutions still lag, because of the unique complexities attached to e-activities. Electronic evidence is dependent on the same evidentiary rigours as its paper-based counterpart. Electronic evidence as with other evidence, must be both material and relevant to the issues as defined by

pleadings, must not be subject to any other exclusionary rule and must ultimately possess greater probative value than prejudicial effect to be received. There exists no legislation on electronic signature in Nigeria which is vital for authentication of electronic evidence or digital evidence to determine its genuineness and reliability (Okeji, Adedoyin-Raji and Isa, 2024).

Furthermore, there are misgivings pertaining to the reliance regarding electronic evidence in Nigerian courts. This is mainly due to the contradictions in the judgments and rulings of the court whereby sometimes documents of this nature were admitted and sometimes rejected by the courts. The Apex Court once held obiter that the law cannot over look the mode of modern business transactions and that it will be in the best interest of the public if the law is amended to permit the use of electronic evidence in the court. Thus, the admissibility of electronic evidence became more like a matter involving critical thinking before the courts. While some Judges preferred to apply the law as it was others, in the interest of justice favoured interpretations that will permit the use of electronic evidence in courts. The courts then began to take judicial notice of electronically generated evidence as they saw its use in trial as an avenue of keeping up with modern-day commercial transactions. However, in *Federal Republic of Nigeria v. Fani Kayode*, the trial court did not admit computer printout as evidence, and neither did it take judicial notice of it even though it was relevant to the fact in issue. The appellate court in hearing the appeal permitted the use of the printout as it was duly certified and directly related to the matter at hand (Oluwajobi and Fatimehin, 2024). These contradictions form a critical aspect of the challenges inhibiting the application of electronic technology in Nigeria's judiciary.

Other inhibiting factors to the application of electronic technology in Nigeria's judiciary stem from the rules established in the Evidence Act of 2011. In Nigeria, the admissibility of computer-generated evidence is primarily governed by Section 84 of the Evidence Act 2011, which was later amended in 2023. To be admissible, a document generated by a computer must satisfy the four conditions outlined in Section 84(2), including frequent computer usage, regular information supply, proper computer functioning, and that the reproduced information is derived from that supplied information. This framework applies to both civil and criminal cases. **Section 84(1):** States that a statement in a computer-produced document is admissible if the conditions in subsection (2) are met. **Section 84(2)** states the Four Conditions as follows:

1. **Regular Use:** The computer must have been used regularly for information storage and processing.



2. **Regular Information Supply:** The information in the document must have been regularly supplied to the computer during the activities.
3. **Proper Operation:** Throughout the relevant period, the computer must have operated properly or any malfunctions did not affect the document's accuracy.
4. **Accuracy of Information:** The information reproduced in the document must accurately reflect the data entered into the computer (Evidence Act, 2011).

Intriguingly, these provisions have been subjected to various interpretations by the courts. The variegated interpretations are no doubt debilitating to the full scale digitalization of the Nigerian legal system. Consequently, the Nigerian judiciary has not fully adopted the use of ICT in its administration of justice either due to the non-existing comprehensive legal and institutional framework permitting the use of ICT, or due to the partial/non-application of electronics and modern information and communications technologies in our judicial institutions. The failure of the judiciary in Nigeria to embrace full scale electronic technology in its activities is blighted by the problem which arises from the admissibility/inadmissibility of electronically generated evidence, and the lack of proof of its authenticity. The greatest of which is the fact that the Independent Electoral Commission (INEC) card reader is not admissible even as against the mischief it was meant to suppress (Aniekwe and Oraegbunam, 2021)

### Conclusion

There is already a consensus that e-governance and ICT is indispensable to government institutions in Nigeria and particularly to Nigeria's judicial system as the adoption and application of electronic technology is believed to be critical to service delivery and overall dispensation of justice. Interestingly, the introduction of ICT by the Federal Courts and few State Courts has shown the difference in service delivery, efficiency and transparency, it is therefore most appropriate to deploy ICT to all levels of courts for such positive impact to be felt. The general consensus drawn from the Practice Directions of Lagos, Ogun, River state and the Federal High Court of Nigeria, Abuja is that service is by email or WhatsApp or any other means directed by the court (Olugasa and Davies, 2022).

IT compliant judiciary will help Judicial Officers to access current global trends, share experiences and reach out globally. With the deployment of ICT, there is the possibility of establishing a Judicial Research Centre and Data Base. This would allow for easy research, access to legal authorities and interactive reach out along the court hierarchy in Nigeria (Abubakar, 2018).

However, to achieve an appreciable level of an ICT compliant judiciary in Nigeria, actions need to be taken to tackle some of the challenges militating against the expeditious application of electronic technology in Nigeria's legal system. There is the challenge of resistance and stiff opposition to the integration of ICT into national economies and societies such as Italy and Nigeria. This problem is a factor of the challenges of technophobia and the digital divide. The argument is that more adults will display fear for technology, hence an ICT compliant judiciary may not be easily welcomed by older judges or legal practitioners. Such fear, lack of skill, variation in income, age and education (or literacy level) can create a digital divide amongst users of technology leading to a decline in the usage of electronic technology..

Another argument against the application of electronic technology in Nigeria's judiciary is around the constitutionality of the proceedings. This argument rests heavily on the interpretation of Section 36 of the 1999 Constitution (as amended) that requires that all hearings by courts and tribunals must be held in the public. The view is that holding court sessions remotely or virtually would breach this constitutional requirement since members of public will not readily participate in the virtual court hearing. The Constitution is the supreme law and any law that is held inconsistent with the provisions of the 1999 Constitution (as amended) will be deemed to be null and void (Olugasa and Davies, 2022). Thus, an appropriate, unambiguous and enforceable legal framework needs to be established towards achieving a functional ICT compliant judicial system in Nigeria. The digitalization of Nigeria's judicial system is now a desideratum; it is a reality which has come to stay. It should be harnessed to improve the delivery of services and the administration of justice.

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## Enhancing Innovation in Entrepreneurship: A ripe for Upturning Economic Downturn

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### **Abstracts**

*Innovation refers to the process of creating new ideas, products, services, or methods that bring about significant improvements or solve problems in novel ways. Various examples of innovation are available for an entrepreneurs to use in the business such as: Disruptive Innovation, Incremental Innovation. Architectural Innovation, Radical Innovation .Entrepreneurship and innovation are relate to each other as both serve as a vehicle or channels for the accomplishment of its tasks. To stimulate entrepreneurship and innovation during an economic downturn, governments and institutions should focus on reducing bureaucratic hurdles for startups entrepreneurs.*

**Keywords:** innovation, entrepreneurship .enhancing, upturning, economic, downturn

Words count -103

### **Introduction**

Entrepreneurship and innovation are closely linked concepts, with innovation often being a key driver of successful entrepreneurship. Entrepreneurship involves the process of creating, developing, and managing a business venture, while innovation refers to the introduction of new ideas, methods, or products. Essentially, entrepreneurs leverage innovation to identify opportunities, solve problems, and create value in the marketplace.

Entrepreneurship and innovation are increasingly important in all areas of business and government. Entrepreneurial start-ups galvanise the economy by identifying new opportunities and redirecting resources to them. Established firms innovate in order to outmanoeuvre or respond to their competition. And in the public sector, the need for effective policies to deal with new challenges and for increasing service delivery with declining budgets also places a premium on innovative thinking. The course focuses on the skills necessary for the planning, development and launch of entrepreneurial and innovative ventures. The material covered includes the foundations of entrepreneurship, techniques for creative thinking, and processes for developing, planning and launching a new venture including protecting intellectual property, evaluating markets, developing innovative business models, budgeting, and raising finance. The major piece of assessment is the writing of a comprehensive business plan.

### **Concept of Innovation**

#### **What is Innovation?**

Innovative refers to the transformation of creative ideas in a business (Njeri 2017).

➤ Innovation refers to the process of creating new ideas, products, services, or methods that bring about significant improvements or solve problems in novel ways.

➤ It involves the application of creativity and knowledge to develop solutions that add value, enhance efficiency, or address challenges in unique ways.

➤ Innovation is key to progress in any field, driving advancements in technology, business, healthcare, and more

Innovation is the process of introducing new ideas, methods, products or services. It involves developing something new or significantly improving existing ones, often driven by new technologies or a fresh perspective on existing knowledge. Ultimately, innovation aims to solve problems, enhance efficiency, or create new opportunities. A firm's longevity in a highly competitive market place is determined by the level at which it introduces and executes its new ideas in products and services to meet change in customers' demands and expectation (Im, Montoya and Workman, 2013). Organisations continuously need to tackle the problem of changing market demands and meet changing customer needs, especially because the marketplace is said to be a war arena for firms but guided by ethical conduct; it is a highly competitive

environment. Therefore, according to Ellomen, Jantunen and Kuivalainen (2011) they have a continuously improve their existing processes and products, and develop new products that match market requirements and if necessary create new markets for existing or a new products that is, market innovation.

Examples of Entrepreneurial Innovation:

- **Disruptive Innovation:**

Introducing a new product or service that fundamentally changes the way things are done (e.g., ride-sharing replacing taxi services).

- **Incremental Innovation:**

Making small improvements to existing products or processes (e.g., a faster processor for smartphones).

- **Architectural Innovation:**

Applying existing knowledge to new markets or contexts (e.g., using 3D printing technology to create customized prosthetics).

- **Radical Innovation:**

Creating entirely new products or services that did not exist before (e.g., the invention of the internet).

In conclusion, entrepreneurship and innovation are intertwined concepts that are essential for economic growth and societal progress. Entrepreneurs leverage innovation to create new businesses, solve problems, and drive value creation, while innovation provides the foundation for entrepreneurial.

### Characteristics of an Innovation Entrepreneur

Stoner J. A. et al (1999) states that an innovate entrepreneur should the following Characteristics:

- Conceptual fluency; He or She should have the ability to produce a large number of ideas quickly.
- He or She should learn to consider ideals on the basis of his merit and being motivated by problems.
- He or She should possess the ability to suspend judgement, get committed and spend time in analysing and explaining business facts.
- He or She is usually less authoritative and flexible; accepts his own impulse, and is disciplined in pursuit of his course of action
- He or She should have the ability for independent judgement, less conformity, and often be a deviant from accepted ideas.
- He or She should also be able to see himself as unique and different from others.

Enhancing innovation by an entrepreneur can only be possible if;

- If the financial means to test out his ideas
- Well trained to bring modern knowledge to bear up his tasks,
- Easily can get in touch with like-minded entrepreneurs

Reason for Innovation and upturning economic Downturn

- Desire to overcome labour shortages
- Desire to overcome material shortages
- Desire to meet excess demand
- Desire by customers for new quality of product.
- Desire to use the work of research and development departments.
- Constant pressure of competition

### Areas of Innovation

- Process technology
- Market innovation
- Product innovation
- Process of distribution
- Factors of production (new products' input)
- New model/product differentiation

### Concept of Entrepreneurship

What is meant with entrepreneurship and how does this relate to innovation?

Entrepreneurship and innovation are fuzzy concepts that have been given multiple meanings. Innovation and entrepreneurship are often regarded as overlapping concepts. This can be traced back to probably the most well known definition of entrepreneurship, by Schumpeter (1934: 74), who defines entrepreneurs as individuals that carry out new combinations (i.e., innovations). Schumpeter distinguishes four roles in the process of innovation: the inventor, who invents a new idea; the entrepreneur who commercialises this new idea; the capitalist, who provides the financial resources to the entrepreneur (and bears the risk of the innovation project); the manager, who takes care of the routine day-to-day corporate management. These roles are most often executed by different persons (see for example Kenney 1986). The literature on entrepreneurship recognises a variety of entrepreneurial roles in economic change, such as:

- the person who bears uncertainty (Knight 1921);
- an innovator (Schumpeter 1934);
- a decision maker (Casson 2003);
- an industrial leader (Schumpeter 1934);
- an organiser and coordinator of economic resources (Marshall 1890);
- an arbitrageur, alert to opportunities (Kirzner 1973; 1997);
- an allocator of resources among alternative uses (Schultz 1975).

These roles all implicitly carry with them an economically positive connotation.

However, if entrepreneurs are defined to be persons

who are ingenious and creative in finding ways that add to their own wealth, power, and prestige (Baumol 1990), then it is to be expected that not all of their activities will deliver a productive contribution to society (cf. Murphy et al. 1991). For

### Who is an Entrepreneur

Entrepreneur is refers to as a person who undertakers and operate a new venture, and assumes some accountability for the inherent risks.

The concept of “entrepreneur” is a French word called “entreprendre” meaning to undertake. This concept was used to refer to a business organization in the 18th century who deals or buys and sells goods at uncertain prices. Richard Cantillon (1755) defines entrepreneur as the agent who buys means of production at certain prices in order to combines them into a new product. Say, J. B (1621) defines the entrepreneur as a person who is willing and able to convert a new idea or invention into a successful innovation. Ogundele (2000) defines entrepreneurs as the innovating individusl ,who initiatiates and nurtures to grow a new and on going business organization ,where none existed before

### Relationship between Innovation and Entrepreneurship

#### 1. Innovation as a Catalyst for Entrepreneurship:

- Entrepreneurs often identify unmet needs or inefficiencies in the market and develop innovative solutions to address them.
- Innovation can create new markets or disrupt existing ones, providing opportunities for entrepreneurs to establish new businesses.
- Examples include the development of new technologies, business models, or products that revolutionize existing industries.

#### 2. Entrepreneurship as a Vehicle for Innovation:

- Entrepreneurs are often the driving force behind the commercialization of innovative ideas.
- They can take risks, mobilize resources, and build businesses around innovative concepts.
- This process of translating innovative ideas into tangible products or services is crucial for economic growth and societal progress.

#### 3. The Importance of Innovation in Entrepreneurial Success:

- In today's dynamic business environment, innovation is essential for entrepreneurs to stay competitive and adapt to changing market conditions.
- Companies that embrace innovation are more likely to experience growth, generate profits, and create a lasting impact.

- Innovative entrepreneurs can also contribute to job creation, economic development, and overall societal well-being.

### Important of Entrepreneurship and Innovation to the Nation Development

Entrepreneurship and innovation are crucial for national development as they drive economic growth, create jobs, and foster societal progress. They lead to increased productivity, competition, and the development of new technologies and markets. Furthermore, entrepreneurship and innovation can help address societal challenges and improve living standards.

Here's a more detailed look at the importance:

#### 1. Economic Growth:

##### • Job Creation:

Entrepreneurs establish new businesses, generating employment opportunities and reducing unemployment rates. Small and medium-sized enterprises (SMEs) are particularly significant in this regard, [according to a study by journalwjarr.com](https://www.journalwjarr.com).

##### • Wealth Creation:

Entrepreneurship facilitates wealth accumulation through business profits, investments, and increased economic activity.

##### • Increased Productivity:

Innovation, often driven by entrepreneurs, leads to more efficient production processes and the development of new products and services, boosting overall productivity.

##### • Market Competition:

Entrepreneurs introduce new products, services, and business models, challenging existing firms to innovate and improve, leading to a more dynamic and competitive market.

##### • Attracting Foreign Direct Investment:

A vibrant entrepreneurial ecosystem can attract foreign investment, further fuelling economic growth.

#### 2. Social Development:

##### • Addressing Social Problems:

Entrepreneurship can provide solutions to social issues like poverty and unemployment by creating income-generating opportunities and improving living standards.

##### • Cultural and Social Advancement:

Innovation and entrepreneurship can lead to new cultural expressions, social norms, and improved access to essential services like healthcare and education.

##### • Skill Development:

Entrepreneurship provides opportunities for individuals to acquire new skills and knowledge, enhancing their

capabilities and contributing to human capital development.

### **3. Innovation:**

- **Technological Advancement:**

Entrepreneurs are often at the forefront of developing and adopting new technologies, driving technological progress and societal transformation.

- **Product and Service Innovation:**

Entrepreneurship encourages the creation of new and improved products and services, meeting evolving consumer needs and preferences.

- **Process Innovation:**

Entrepreneurs can also innovate in business processes, making them more efficient and cost-effective.

### **4. Sustainable Development:**

- **Environmental Sustainability:**

Entrepreneurship can drive the development of green technologies and sustainable business practices, promoting environmental protection and resource efficiency.

- **Social Sustainability:**

Entrepreneurship can contribute to social equity and inclusion by providing opportunities for marginalized communities and addressing social inequalities.

- **Economic Sustainability:**

By fostering innovation and productivity, entrepreneurship can create a more resilient and sustainable economy that can adapt to changing circumstances.

In summary, entrepreneurship and innovation are vital for national development, contributing to economic prosperity, social progress, and a more sustainable future.

### **Conclusion**

It is believed that this paper that there is some degree of relation between Entrepreneurship and innovation as a ripe for Upturning Economic Downturn where all barriers and disruption in Entrepreneurship and innovation is totally eliminated for the effective and perfect economic growth in our Nation particularly Nigeria’.

In conclusion, if all the process of entrepreneurship and innovation is well routed the economic downturn that we are facing in our Country can be surmounted and reduce drastically to the barest minimum.

### **Recommendation**

The thrust of this paper is that Nigeria has the great potentials to be at fore-front in terms of stability economic growth and development. Based on the findings of this study, the following recommendation are made:

To stimulate entrepreneurship and innovation during an economic downturn, governments and institutions

should focus on reducing bureaucratic hurdles for startups, providing financial support through subsidies and grants, fostering a culture of innovation within businesses, and ensuring access to training and resources for entrepreneurs. Additionally, promoting digital technologies, emphasizing sustainability, and encouraging inclusive entrepreneurship can further bolster economic recovery.

Here's a more detailed breakdown:

#### **1. Streamline Regulations and Reduce Bureaucracy:**

- **Lower administrative burdens:**

Simplify the process of starting and running a business by reducing the number of bureaucratic steps, regulations, and fees for startups.

- **Provide clear and consistent legislation:**

Avoid conflicting laws and regulations that create uncertainty and discourage business activity.

- **Protect intellectual property:**

Ensure entrepreneurs have clear legal rights to their inventions and creations to encourage innovation.

#### **2. Provide Financial Support:**

- **Start-up subsidies and grants:**

Offer financial assistance to new businesses, particularly those with innovative ideas or those targeting underserved markets.

- **Access to funding:**

Ensure entrepreneurs have access to various funding options, including venture capital, angel investors, and microfinance.

- **Tax incentives:**

Provide tax breaks or other financial incentives for businesses that invest in research and development or create jobs.

#### **3. Foster a Culture of Innovation:**

- **Encourage risk-taking:**

Create a work environment where employees feel empowered to experiment and innovate without fear of failure.

- **Promote collaboration:**

Facilitate collaboration between businesses, research institutions, and universities to foster knowledge sharing and innovation.

- **Invest in education and training:**

Provide access to training programs that equip entrepreneurs with the skills they need to succeed, including digital literacy and sustainable business practices.

#### 4. Embrace Digitalization:

- Leverage digital technologies:

Encourage the adoption of digital technologies to improve efficiency, reduce costs, and reach new markets.

- Support digital entrepreneurship:

Foster the growth of digital businesses, particularly those that can address social and environmental challenges.

- Promote digital infrastructure:

Invest in digital infrastructure to ensure that all entrepreneurs have access to the internet and other essential digital tools.

#### 5. Emphasize Sustainability:

- Promote sustainable business practices:

Encourage businesses to adopt environmentally friendly practices and develop sustainable products and services.

- Support green entrepreneurship:

Provide resources and support for entrepreneurs who are developing innovative solutions to environmental challenges.

- Integrate sustainability into business models:

Help entrepreneurs understand the long-term benefits of sustainability for their businesses and the economy.

#### 6. Promote Inclusive Entrepreneurship:

- Support underrepresented groups:

Focus on creating opportunities for women, minorities, youth, and other underrepresented groups to participate in entrepreneurship.

- Provide tailored support:

Offer mentorship, training, and financial assistance that is specifically designed to meet the needs of these groups.

- Promote diversity and inclusion:

Encourage diversity within the entrepreneurial ecosystem to foster creativity and innovation.

By implementing these recommendations, governments and institutions can create a more supportive environment for entrepreneurship and innovation, which can help to mitigate the negative impacts of an economic downturn and pave the way for sustainable economic growth.

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