

## CRITICAL ANALYSIS ON THE EFFECT OF GLOBALIZATION ON THE ADMINISTRATION OF JUSTICE IN NIGERIA

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### Abstract

Globalization has created jurisdictional conflicts between national courts and international tribunals, leading to disputes over the appropriate forum for resolving questions about the balance between national sovereignty and international legal obligations. Nations increasingly assert extra-territorial jurisdiction over individuals and corporations operating beyond their borders, often based on principles of universal jurisdiction or the extra-territorial reach of national laws. Using the doctrinal method of research, the paper seeks to examine the effects of globalization on criminal law, sovereignty of states, social justice and public administration. The paper found that globalization has had both positive and negative effects on the administration of justice in Nigeria, it has affected the issue of trans-border crimes, the fundamental rights of individuals, and also the issue of how the government interact with the citizens and the whole world. The paper recommends the strengthening of international legal frameworks to hold non-state actors accountable and Nigeria should invest in preventive strategies as far as crimes are concerned, and finally, Nigeria should ratify treaties selectively.

**Keywords:** Critical Analysis, Effect, Globalization, Administration, Justice

### Introduction

Globalization, a multifaceted phenomenon characterized by interconnectedness and interdependence across national borders, has profoundly impacted the administration of justice worldwide. This complex interplay, has brought about both opportunities and challenges, shaping legal systems, judicial processes and the very concept of justice itself. Globalization has affected justice delivery mechanisms of nations around the globe. It touches and spreads the legal developments and debates which are going on in one part of the world to another part of the world. This is because of the simple fact that globalization has linked the economies of nations which otherwise have no territorial or geographical connection ( Bewaji, 2003).

Globalization is associated with the free movement of capital, labour, goods and services across national borders. However, these parameters of economic globalization cannot be viewed in isolation from other aspects such as the free exchange of ideas and practices. Using the doctrinal method of research, the primary objective of this paper is to analyze the effect of globalization on the administration of justice generally. The paper considers both positive and negative aspects of globalization with particular reference to human rights, public administration, social justice, criminal law and sovereignty of nations, this is because, analyzing these impacts is crucial for understanding the evolving landscape of global legal framework.

### Meaning of Globalization

Presumably, the term “globalization” derives from the word “globe” which refers to the planet earth. It means what we can refer to as “universalization”, which is, making something universal. It I

inconclusive, (Payne, 2003). In mathematical terms, universal set means the men or biggest possible set to which all the members belong. A universal set would be the biggest set of which other sub-sets or sections belong. To globalize or universalize something means it is made to apply in the universal set or in all cases. With regards to the law, a universalized law would be one which applied in all countries of the world. A universalized culture would be one that applied to or was practiced by, the whole world. One such culture is evident in football. Where Federation International de Football Association (FIFA) is the law-giver who rules world football. The law on penalties in football, for example, is universal thus global.

A, Payne, describes globalization as “a phenomenon which, it should be said, many have found easier to applaud or condemn than analyze and understand”. (Payne, 2003). The context of globalization today is the view about unifying different aspect of people of the world. Globalization cab be cultural, technological, financial, economic, political, social and so forth. It is defined as “the process of creating a common economic space which leads to a growing integration of the world economy through increasingly free movement of goods, capital, and labour, (Lal, 2004).

### **Meaning of Justice**

In its broadest sense, justice means the idea that individuals should be treated fairly. A society where justice has been achieved would be one in which individuals receive what they deserve. The issue of justice has been debated in philosophy for many years and it has remained an elusive concept to define while some definitions have proven to be elusive. Michael Boylan describes justice as fairness. Fairness includes sometimes treating people in the same way and sometimes differently (Boylan, 2001)., Justice is balancing the scales where each person has access to what they have the right to without impediments. Justice is also seen as the ability of an individual to see his place in the community and appreciate it such that they are concerned about the wellbeing of other and realize their fulfillment in and through the fulfillment of others. Immanuel Kant explained that justice cannot be defined accurately in his words: “*Justice can be just as perplexing to the jurist as the well-known question “what is truth?”*” Justice can also be seen as the commitment to obeying rules, to respecting rights, to accepting obligations under a system of principles. It is the individual’s consistent adherence to the morality of rule following in a moral world where rights and duties are the dominating issues, (Danladi, 2022).

### **Effect of Globalization on Human Right Administration**

This part of the paper examines how globalization affects human right both positively and negatively; and exploring these dual effects, drawing on examples from developing countries and global institutions to illustrate how globalization reshapes the administration of human right within the broad context of justice. Globalization has significantly improved the administration of human rights by expanding international legal frameworks and institutions. The rapid spread of ideas and norms through global communication networks has led to the development and ratification of key treaties such as the Universal Declaration of Human Rights (UDHR) in 1948, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Covenant on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC), and the Convention on the Rights of Persons with Disabilities (CRPD), (Arfat, 2012).

One important impact of globalization is the enhancement of monitoring and enforcement mechanisms. Globalization has facilitated the creation of bodies like the United Nations Human Rights Council, Office of the High Commissioner for Human Rights (OHCHR), Special Rapporteurs, treaty bodies, and regional courts such as the European Court of Human Rights, or the Inter-American Court for Human Rights. These entities provide oversight, technical assistance, and capacity-building to states, promoting compliance through periodic reviews and recommendations. Furthermore, globalization empowers civil society and human rights defenders by providing access to global networks, information and advocacy platforms. Organizations like Amnesty International and Human Rights Watch conduct research, mobilize public opinion, and pressure government and co-operations to uphold rights, (Hosamani, 2024). This has led to advancements in areas such as indigenous rights, as seen in the adoption of the United Nations Declaration on the Rights of Indigenous People (UNDRIP) in 2007, which recognizes self-determination, land rights, and cultural preservation after years of global advocacy.

Economically, globalization creates opportunities for development that indirectly support rights administration. The right to development as outlined in the 1986 UN Declaration, positions individuals as active participants, obligating states to foster economic, social, cultural, and political progress. Increased trade and investments can lead to job creation, technology transfer, and infrastructure improvements, enhancing access to education, healthcare, and cultural diversity for marginalized groups like women, children, minorities and migrants. Corporations when adhering to codes of conduct, contribute positively by investing in communities and respecting rights as encouraged by the UN's Guiding Principles on Business and Human Rights. Overall, these positive effects strengthen global governance, making human rights administration more inclusive and effective through shared standards and collaborative enforcement.

Despite the above positive effects of globalization on human rights, globalization possess significant challenges to human rights administration by undermining state sovereignty and enabling violation by non-state actors. The intensification of economic interdependence often prioritizes market liberalization over rights protection, thereby states lower standards to attract investment, eroding their ability to enforce human rights. This is particularly evidence in developing countries, where globalization has worsen inequalities with income gaps widening between the richest and the poorest nations. Globalization also contribute to displacement and environment degradation, complicating administration. Mega projects funded by the World Bank and Multinational Corporations (MNCs) displaced over 2 million people in Asia between 1986 and 1993, violating land rights without proper consultation. Between 2014 and 2018, more than 3.4 million people were displaced by World Bank projects, (Asif, 2024). Indigenous communities, such as those in the Amazon, face deforestation driven by global demand, infringing on self-determination and cultural rights.

### **Effects of Globalization on Criminal Law Administration**

Criminal law administration encompasses the institutional frameworks, processes and mechanisms involved in the detection, investigation, prosecution, adjudication and punishment of criminal offences within a jurisdiction. These include national police forces, courts, correctional systems, and legislative bodies that formulate criminal codes. Globalization has significantly affected criminal law; it has facilitated the emergence of transnational crimes that transcend national borders compelling criminal law systems to adapt through international cooperation while simultaneously eroding traditional state sovereignty. On the positive side, globalization promotes the harmonization of laws

and enhances collaborative enforcement mechanisms. Conversely, it exacerbates challenges such as jurisdictional conflicts, the proliferation of organized crime, and resource strains on national systems. This part of the paper examines these dual effects drawing on global examples like drug trafficking and cybercrime, to illustrate implications for the administration of justice in an interconnected world, (Rotman, 2008).

The rise of transnational organized crime (TOC) is a hallmark of globalization's impact, where criminal exploits open borders, advanced logistics, and digital technologies to operate across continents. For instance, illicit flows of drugs, humans, firearms and counterfeit goods generate billions in profits annually; often funding conflicts and undermining governance in vulnerable regions. This necessitates a shift from purely national to hybrid models of criminal law administration, involving multilateral treaties and shared intelligence. However, such adaptations raise concerns over sovereignty as states most cede some authority to international bodies. The United Nations Convention Against Transactional Organized Crime (UNTOC, 2000) exemplifies this tension, providing a framework for cooperation while highlighting gaps for enhancement. Overall, globalization transforms criminal law administration from a state-centric endeavour into a global governance challenge, balancing efficiency against risks of overreach and inequality, (Pardo, 2016).

Despite these benefits, globalization poses a substantial challenge to criminal law administration, primarily by amplifying transnational crime and straining national systems. The erosion of state sovereignty is a core issue, as open borders and deregulated financial systems enable criminals to exploit jurisdictional gaps, leading to impunity. Corruption and institutional infiltration further undermine systems. Criminal groups bribe officials, leading to low conviction rates and violence against enforcers. Jurisdictional and definitional challenges persist, with varying national definitions of TOC hindering cooperation. States bureaucratic structures lag behind criminals' ability, leading to inadequate responses to emerging threats like maritime piracy off Somalia, where ransom reach tens of millions annually. Environmental crimes, such as ivory poaching and illegal timber logging, exploit weak governance, with concealment in legitimate cargo evading detection, these negative effects over-burden national administrations, fostering impunity and reducing public trust in justice systems, (Keck, & Shirk, 2018).

### **Effects of Globalization on Public Administration**

Public administration refers to the organization and implementation of government policies, programs and services, encompassing bureaucratic structures, service delivery, policy formulation, and governance mechanisms at national and subnational levels. It involves the coordination of resources to achieve public goals while ensuring accountability, efficiency and responsiveness to citizens, (Farazman, 1999). Globalization, the intensification of economic, political, cultural and technological interconnectedness across borders has transformed public administration from a predominantly state-centric and institutions. This transformation is driven by forces such as trade liberalization, multinational corporations (MNCs), international organizations such as World Bank, International Monetary Fund, and the United Nations, and digital technologies, which diffuse administrative practices globally while challenging traditional bureaucratic models, (Farazman, 2022).

In developing countries like Nigeria, globalization has facilitated capacity-building through technical assistance, and funding from bodies like the World Bank. Reforms in countries such as Ghana, Nigeria and India have incorporated New Public Management (NPM) elements, leading to improved

service delivery in sectors like health and education. Digital transformation represents another key benefit; e-governance initiatives, accelerated by global technological diffusion, have increased transparency, reduced corruption, and improved citizen-engagement. Globalization also fosters collaborative governance, international networks and treaties encourage policy harmonization, such as in environmental administration or anti-corruption efforts, ( Mishra, 2010). Despite these benefits, globalization poses substantial challenges to public administration, particularly through the erosion of national sovereignty and the imposition of external reforms. International financial institutions often condition loans on structural adjustment programs that prioritize privatization deregulation, and downsizing public sectors, leading to job losses and weakened service deliver in developing countries like Nigeria, this approach leads to policy failures and increased inequality, ( Khan, 2022).

### **Effects of Globalization on Social Justice**

Social justice refers to the fair and equitable distribution of resources, opportunities, rights, and privileges within society, encompassing principles of equality, human rights, recognition of diversity, and redistribution to address inequalities. It involves challenging systemic barriers related to class, gender, race, ethnicity, and other identities to ensure participatory government and dignity for all, ( Fraser, 2008). Talking about the positive impact of globalization on social justice, globalization has advanced social justice by promoting universal human rights norms, facilitating global solidarity movements, and enabling economic opportunities that lift millions out of poverty.

Economically, globalization has contributed to poverty reduction in many developing countries Nigeria inclusive. Integration into global market has driven growth in countries like China, India, Nigeria, lifting over a billion people out of extreme poverty since 1990 through job creation in export sectors, ( Donnelly, 2005). Furthermore, globalization fosters cultural exchange and recognition struggles, empowering marginalized groups. Identity-based movements, amplified by global media, challenge discrimination and promote inclusion, merging demands for redistribution with recognition of cultural difference. Despite these gains, globalization often undermines social justice by exacerbating inequalities, exploiting vulnerable populations and eroding state capacity for redistribution. In Nigeria, structural adjustments imposed by institutions like the IMF and World Bank have reduced public spending on social services, widening gaps in health, education and general opportunities, ( Bergh, & Nilsson, 2019).

Labour exploitations another negative effect of globalization on social justice, especially in global supply chains, child labour, and other precarious works persist with multinational corporations outsourcing to regions with weak regulations, violating workers' rights to fair wages and safe conditions. Women and migrants are most affected, facing gender-based discrimination and human trafficking amplified by porous borders.

### **Effects of Globalization on Sovereignty of Nations**

Sovereignty of nations, rooted in the Westphalia system established in 1648, refers to the supreme authority of a state over its territory and internal affairs, free from external interference. It encompasses legal equality among states, non-intervention, and the ability to make independent decisions on domestic and foreign policy. Globalization characterized by intensified economic interdependence, cultural exchanges, technological advancements and the rise of supernational institutions, has profoundly challenged this traditional notion, (Zajda,2025). The debate on globalization's impact is still ongoing; some view it as enhancing sovereignty through voluntary

cooperation and mutual benefits, while others argue it undermines its via coercive mechanisms and unequal power dynamics.<sup>36</sup>

Culturally and socially, globalization promote the exchange of ideas and values, enriching national identities and fostering multiculturalism, states can harness this to project soft power. Overall, when manage strategically, globalization empowers states to adapt, collaborate, and thrive, transforming sovereignty into more flexible, networked from that aligns with contemporary global realities.<sup>37</sup> Despite these positive impacts of globalization, it often undermines national sovereignty by imposing external constraints, fostering dependency and diffusing authority to non-state actors. Economically, the dominance of MNCs and global financial institutions like the IMF and World Trade Organization (WTO) erodes state control through conditioned lending and trade agreements that mandate liberalization, privatization and austerity. These measures coerce countries like Nigeria into adopting policies that prioritize global markets over national interests, developing countries are vulnerable they face exploitation in unequal bargaining.<sup>38</sup>

## **Conclusion**

In conclusion, globalization has irrevocably altered the administration of justice in Nigeria and the rest of the world, shifting it from a national to a transnational issue characterized by interconnected challenges and opportunities. Globalization has brought new opportunities in Nigeria like new legal specializations in the area of cyber law, international arbitration and also modern tech (e-filing) for efficiency, but also challenges such as transnational crime, increased competition and difficulty of balancing global norms with domestic needs, forcing reforms like ADR adoption and training lawyers for complex cross border issues, though issues with human rights and unequal application of justice persist. Globalization has impacted in almost every aspect of human endeavor, as discussed above, it is clear that globalization has both positive and negative impact in the areas of human rights, public administration, social justice, criminal law, and most importantly the sovereignty of the Nigeria state. Therefore, because of globalization borders are collapsing and the world is becoming a global village. No country can survive alone, although Nigeria is said to be sovereign and independent, but it is definitely influenced and affected by the decisions and policies of other nation. In line with the above discussion, the paper makes the following findings:

- (1) Globalization has empowered multinational corporations to evade accountability, leading to violation in areas of labour rights and environmental protection, particularly in developing countries like Nigeria.
- (2) Globalization has encouraged transnational organized crimes, it has strained the national systems with jurisdictional conflicts and corruption, the state control over security is eroded by globalization.
- (3) Globalization erodes autonomy of states, through forced trade agreements and MNC influence leading to conditional sovereignty. It promotes universal standards and efficiency but at the cost of local autonomy and equity.

In view of the foregoing findings, the paper makes the following recommendations:

- (1) International legal frameworks should be strengthened to hold non-state actors accountable. The Nigerian government should advocate for binding treaties that regulate MNCs ensuring remedies for violations in global supply chains. These should be guiding principles on businesses and human rights. Additionally, policymakers should integrate human rights impact assessments into trade agreements to pre-empt violations.

- (2) Nigeria should invest in preventive strategies as far as crime are concerned, strategies like education and economic development to address root causes of transnational crime alongside robust intelligence-sharing protocols should be adopted.
- (3) As regards the Nigerian sovereignty, Nigeria should ratify treaties selectively, retaining opt-out clauses for core interests, digital sovereignty policies to counter cyber threats should be adopted. Thereby fostering cooperation while preserving autonomy.

## References

Arfat, S. (2012). Globalization and Human Rights: An Overview of its Impact. *American Journal of Humanities and Social Sciences*, <https://worldscholars.org/index.php/ajhss/rarticle/download/01013/pdf> visited on 18/08/2025 at 2:00pm

Arfat, S. Op. cit, p.9

Asif, S. (2024). The Human of Globalization and its Impact on Human Rights, Pure JGU. <https://ojs/jdss.org.pk/journal/article/view/1065>

Bergh, A. and Nilsson, T. (2019). Can Social Spending Cushion the Inequality Effect of Globalization? *Research Institute of Industrial Economic*. <https://ideas-repec.org/pices/ceswps/5210.html>. Visited on 10/2/26 by 4:48pm

Bewaji, J. A. I. (2003). *Beauty and Culture – Perspectives in Black Aesthetics*. Spectrum Books Ltd, Ibadan, p.1

Boylan, M. (2001). “The Failure of Affirmative Action”. Boylan, M. (ed). *Business Ethics*. Upper Saddle River, New Jersey, Prentice Hall, p.256

Danladi, K. M. (2022). *Introduction to Jurisprudence and Legal Theory*. Enifab Print Media, Zaria, p.120

Donnelli, L. (2005). Globalization, Global Shifts, Social Welfare, and Development. *Social Development Issues*. <https://journal.publishing.umich.edu/sdi/article/id/4486/> visited on 10/3/26 by 4:45pm

Farazman, A. (1999). Globalization and Public Administration. *Public Administration Review*, 59(6), 509-522.

Farazman, A. (2002). Globalization and Public Administration: A Complex Relationship. <https://core.ac.uk/download/pdf/6376787.pdf>. Visited on 19/09/25 by 3:00pm

Fraser, N. (2008). Social Justice in Globalization *Eurozine*. <https://www.eurozine.com/social-justice-in-globalization>. Visited on 10/3/26 by 12:00pm

Globalization and Human Rights. *Indian Institute of Legal Studies*, <https://www.li/sindia.com> visited on 7th Feb., 2026 by 11:12pm

- Hosamani, S. K. (2024). Globalization and its Impact on Human Rights. Pure JGU. <https://pure.jgu.edu.in/id/eprint/7541/1/Globalization-and-its-impact-on-human-rights.pdf> visited on 18/03/26 at 2:48pm
- Keck, Z. and Shirk, S. (2018). The Global Diffusion of Law: Transnational Crime and the Case of Human Trafficking. *International Studies Quarterly*, 62(3), 488-505.
- Khan, M. A. (2022). Impact of Globalization on Public Administration. Research Gate. <https://www.researchgate.net/publication/361228768impactofglboalizationononpublicadministration>. Visited on 19/2/26 by 4:24pm
- Lal, D. (2004). In Praise of Empires. Globalization and Order. Palgrave Macmillan, Basingtoke, p.5
- LLB (ABU), BL, LLM (ABU) Ph.D (In-view) (ABU), Lecturer, Faculty of Law, Federal University, Dutsin-Ma.
- Mishra, R. K. (2010). Globalization and Public Administration Reform. Ash Center for Democratic Governance and Innovation, Harvard Kennedy School. <https://ash.harvard.edu/wp-content/uploads/2024/02governance-innovation-around-the-world.pdf>. 19/09/25 by 4:20pm
- Pardo, R. (2016). Globalization and Organized Crime: Challenges for International Cooperation. Rice University's Baker Institute for Public Policy. <https://www.bakerinstitute.org/research/globalization-organized-crime>. Visited on 7/03/26 at 1:25pm
- Payne, A. (2003). "Philosophical exploration of leaders in Caribbean and Diaspora policies". In: *Journal on African Philosophy. An Electronic Journal of International Society for Africa Philosophy and Studies (ISAPS)*. <http://www.africanphilosophy.com/issues2/Payne.html>
- Rotman, E. (2008). The Globalization of Criminal Violence. *Cornell Journal of Law and Public Policy*, 10, Vol. 1, p.23. <https://www.lawschool.cornell.edu/research/JIPP/upload/Rotman-001.pdf> visited on 7/03/26 at 12:36pm
- Zajda, J. (2025). Globalization and Human Rights for Democracy and Social Justice. Springer. <https://link-springer.com/chapter/10.1007/978-3-031-80297-3-1>. Visited on 10/2/26 by 7:30pm