
THE INDEPENDENCE OF THE JUDICIARY IN NIGERIA: MYTH OR REALITY?

Adeola Olufunke KEHINDE PhD*

***Faculty of Law, Federal University Oye Ekiti, Ekiti State, Nigeria**

AND

Modupe Nancy WIWOLOKU PhD*

***Faculty of Law, Federal University Oye Ekiti, Ekiti State, Nigeria.**

AND

Adefisayo OYEDEJI*

***Faculty of Law, Federal University Oye Ekiti, Ekiti State, Nigeria. Email:**

AND

Bilkis AYINLA – AHMAD PhD*

***Faculty of Law, Kwara State University, Malete, Kwara State, Nigeria.**

Abstract:

The judiciary constitutes the third branch of government in Nigeria. The remaining branches are the legislative and executive branches of government. The judicial branch of government is tasked with the interpretation of laws inside the nation. This study analyses the judiciary's organisation and its function under the Constitution of the Federal Republic of Nigeria 1999 (as amended). The study will evaluate the degree to which judicial independence has been upheld or compromised. The Nigerian judiciary has consistently encountered criticism from both Nigerians and individuals worldwide. It is concerning that many Nigerians believe the judiciary lacks true independence, viewing it solely as an extension of the executive branch, and more critically, that some judges are too timid to dispense justice impartially. This study



analysed this perspective and advocated for the necessity of complete judicial autonomy in Nigeria, as opposed to mere theoretical autonomy. The study determined that the judiciary in Nigeria lacks true autonomy. The doctrinal research methodology was employed

Keywords: *Judicial independence, Nigerian Constitution, Judicial authority, Branch of government, Justice administration*

Contact details of the author(s):
1.princessadeola2000@gmail.com ORCID: <https://orcid.org/0000-0002-1554-6247>
2.silvergirl0410@gmail.com ORCID: <https://orcid.org/0009-0000-8510-7007>
3.adebisayo.oyedeji@fuoye.edu.ng; ORCID: <https://orcid.org/0009-0009-0429-9496>
4.aayinlaahmadb@gmail.com ORCID <https://orcid.org/0009-0008-0908-6388>

INTRODUCTION

The government of Nigeria consists of three branches: legislative, executive, and judicial. The Judiciary is the third branch of government, responsible for interpreting and implementing laws established by the Legislature and evaluating the legality of the Executive's actions. This branch of government needs independence and autonomy to efficiently execute its responsibilities and obligations. The independence of the judiciary is a legal principle that mandates the judiciary to function autonomously, devoid of interference from the Executive and Legislative arms of government (Ifeoma Uchenna Ononye et al., 2020). The judiciary is responsible for guiding society towards the realisation of justice. For justice to be achieved within the judicial system, the court must perform its responsibilities impartially and without bias. Thus, even in the best organised civilisations, the judicial process serves as the institutional cornerstone of any political system (Edosa & Fenemigho, 2014).

The aforementioned has impeded the Nigerian Judiciary from operating as a check on the excesses of other government branches within its constitutional confines over the years. This paper contends that the lack of judicial independence in Nigeria has led to various challenges within the judiciary, such as a lack of fortitude, vulnerability to corruption in political case adjudication, especially in election petitions, issues surrounding judicial appointments, tenure security, compensation, institutional autonomy, judicial accountability, sufficient resources for courts, media and societal pressures, and the scope of judicial authority and justiciability, all of which profoundly affect the judiciary (Geyh, 2008). It is now necessary to scrutinise specific conceptual clarifications.

DEFINITION OF JUDICIAL INDEPENDENCE

Judicial independence comprises two significant terms: judicial and independence. Judicial pertains to the legal system and the rulings rendered in a court of law. The judicial branch of government pertains to a country's court system. Judiciaries are responsible for interpreting and applying a country's laws in particular cases and may have the power to nullify legislation deemed illegitimate (The Judiciary, 2017). The judiciary is defined as the segment of a nation's government accountable for its legal system, encompassing all judges inside the country's courts (Cambridge Dictionary, n.d.). Independence is described as the state of being free from governance or control by another nation (Cambridge Dictionary, n.d.). It has also been characterised as the attribute or condition of independence (Merriam-Webster, 2019).



Judicial independence denotes the ability of courts and judges to fulfil their duties free from intervention or control by external entities, whether governmental or private. The term is frequently used normatively to signify the autonomy that courts and judges ought to have (Law, 2016). Judicial independence denotes that judges are shielded from external pressures and influences, allowing them to make unbiased decisions based only on factual information and legal principles. An impartial judge ensures that your case is resolved based on legal principles and factual evidence, rather than being influenced by a volatile political landscape. (Independent Judiciary Resources, 2021).

JUDICIARY ANALYSED UNDER THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED)

As earlier said, the judiciary, being the third branch of government in Nigeria, is tasked with the interpretation of the law. This position is acknowledged in the modified 1999 Constitution of the Federal Republic of Nigeria. Courts serve as the ultimate arbiters and protectors of rights in constitutional governments. By ensuring that no one is exempt from legal accountability and offering a mechanism to contest the abuse of authority, they foster a democratic society. The judiciary can render decisions by interpreting and applying the constitution (Bellamy, 2013). In a democracy, the judiciary's constitutional interpretation facilitates the establishment of the government and its operations. Democracy and the judiciary share numerous similarities, with the latter sometimes regarded as a branch of government. The Supreme Court intervened to ensure the protection of Nigerian citizens' rights irrespective of the governing administration, as determined in the case of *Fawehinmi v. Abacha*. Throughout the years, Nigeria's judiciary has facilitated the progression of human rights and, subsequently, the enhancement of several democratic elements (Bellamy, 2013). The responsibility of the justices and judges across different courts is to uphold and promote democracy by making decisions that ensure justice is not compromised by technicalities or confined by the contemporary term "substantial compliance," especially concerning political office holders and their responsibilities, as well as our electoral laws and processes, (Leiter, 2020) and Section 6 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended). Numerous measures have been developed over the years to safeguard against the influence of other government branches on court decisions, since judicial independence continues to be a significant and contentious issue in the exercise of judicial authority. Section 6 of the 1999 Constitution delineates the provisions for judicial authority. It stipulates the following:

The Federation's judicial functions shall be conferred upon the courts specified in this section, which are formed for the Federation.

The judicial authority of a State shall be conferred upon the courts specified in this section, which are formed in accordance with the provisions of this Constitution for that State.

The courts referenced in this section, established by this Constitution for the Federation and the States as detailed in subsection (5)(a) to (1), shall constitute the sole superior courts of record in Nigeria; and unless otherwise stipulated by the National Assembly or the House of Assembly of a State, each court shall possess all the powers of a superior court of record.

(4) None of the above stipulations in this section shall be interpreted as prohibiting:-

(a) the National Assembly or any House of Assembly is prohibited from establishing courts, except from those addressed in this section, that possess subordinate jurisdiction to that of a High Court;



1/2025

(b) the National Assembly or any House of Assembly, which is not mandated to do so, may abolish any court that it has the authority to establish or has created.

This section pertains to:

(a) the Supreme Court of Nigeria; (b) the Court of Appeal; (c) the Federal High Court; (d) the High Court of the Federal Capital Territory, Abuja; (e) a State High Court; (f) the Sharia Court of Appeal of the Federal Capital Territory, Abuja; (g) a State Sharia Court of Appeal; (h) the Customary Court of Appeal of the Federal Capital Territory, Abuja; (i) a State Customary Court of Appeal; (j) any other courts authorised by law to exercise jurisdiction over matters for which the National Assembly may legislate; and (k) any other court authorised by law to exercise jurisdiction at first instance or on appeal over matters for which a House of Assembly may legislate.

The judicial powers conferred pursuant to the preceding stipulations of this section -

(a) shall extend, notwithstanding of any conflicting provisions in this constitution, to the inherent powers and punishments of a court of law

(b) shall apply to all cases involving individuals or between the government or authority and any individuals in Nigeria, as well as to all actions and proceedings pertaining thereto, for the resolution of any dispute regarding the civil rights and obligations of that individual;

(c) shall not, except as otherwise stipulated by this Constitution, pertain to any matter regarding whether any act or omission by any authority or individual, or whether any law or judicial ruling, aligns with the Fundamental Objectives and Directive Principles of State Policy delineated in Chapter II of this Constitution;

(d) must not, from the date this section becomes effective, apply to any action or proceedings concerning any existing law enacted on or after 15th January 1966 for resolving any problem or question regarding the authority or competency of any individual or entity to enact such law.

The allocation of judicial powers to the courts established by the 1999 Constitution imposes significant obligations on judicial officers, whose principal duty is to administer justice in accordance with the law and the constitution. The duties of a judicial officer include a deep commitment to duty, accountability, dedication, discipline, extraordinary intellect, integrity, probity, and transparency (MUSDAPHER, 2011).

The Judiciary is essential within the governmental framework, as the constitution prohibits the enactment of any legislation that "ousts or purports to oust the jurisdiction of a court of law or of a judicial tribunal established by law." As the third branch of government, the Judiciary faces the challenging responsibility of interpreting laws. Its activities can be encapsulated in the Latin phrase *jus-dicere non jus dare*, signifying the proclamation of the law rather than its creation. The court is responsible for interpreting current law rather than formulating new legislation. Therefore, in adjudicating issues, determinations should be made based on substantial fairness rather than technicalities, particularly in election petition cases.

The court is anticipated to fulfil its responsibilities both judicially and judiciously. The courts must advocate for meaningful justice. Numerous historic cases in Nigeria have underscored the need of substantive justice. Here are many noteworthy examples:

In *Adesanya v. President of Nigeria*, this case is frequently referenced as a quintessential illustration of the court's dedication to substantive justice. The Supreme Court determined that substantive justice necessitates the court to evaluate not only the literal interpretation of the law but also the wider ramifications of its rulings on the parties concerned.

In *Adeyinka v. State*, the Court of Appeal underscored the necessity for substantive justice in the administration of criminal law. The court determined that the prosecution's omission of critical evidence from the defence amounted to a violation of substantive justice. The court underscored the necessity for all parties to have the right to a fair hearing, ensuring that justice is administered in conformity with legal rules and as stipulated in the 1999 Constitution of Nigeria.

Similarly, in *GTB Plc v. Okoro*, the Supreme Court recognised the significance of substantive justice in civil procedures. The court determined that the lower court's ruling, founded on a technicality instead of the case's merits, constituted a denial of substantive justice.

In *Amadi v. NNPC*, the Court of Appeal underscored the necessity for substantive justice in employment-related conflicts. The court determined that the respondent's neglect of due process in dismissing the appellant's employment constituted a violation of substantive justice. The Supreme Court emphasises the necessity for banks to operate in good faith and fulfil their contractual commitments to clients.

FACTORS THAT ENSURE JUDICIAL INDEPENDENCE

An independent judiciary may also improve the efficient administration of a complex social system, regardless of the societal valuation of personal freedom. Despite varying legal systems, many countries globally recognise the importance of judicial independence (Plank, 1996).

1. **Appointment and promotion:** Due diligence is essential during the appointment and advancement of judicial authorities. The process must be comprehensive, equitable, and impartial. Appointment procedures may be unduly influenced by the political or personal prejudices of the appointing authorities. To alleviate this risk, it is imperative to establish transparent, objective, and non-discriminatory procedures. Judicial nominations should be grounded in merit, conforming to the objective standards established by law or relevant authorities, with political considerations being prohibited. Individuals selected for judicial roles must demonstrate integrity, proficiency, and appropriate training or credentials. Judicial advancements must conform to identical norms based on objective criteria, namely: competence, integrity, and experience. (Kiener-Manu, Katharina, 2020).

An inept judge lacking integrity is a significant misappropriation of communal resources. You may refuse to assist a merchant with inferior inventory; nevertheless, you have little recourse if called before a judge with deficient intellectual or ethical standards. An ethical, capable, and courageous Judge is the most essential servant of democracy, as he clarifies justice via the interpretation and application of the law (Mudapher, 2011). Honourable Justice Mudapher referenced the remarks of Honourable Justice Samson Uwaifo, JSC, articulated it as follows: “A corrupt judge is more detrimental to society than an individual who rampages with a dagger in a crowded street.” The latter can be physically constrained. A corrupt judge intentionally undermines the moral underpinning of society and inflicts



immeasurable anguish on individuals by misusing his position, all while being addressed as "honourable" (Abdullahi, 2014).

It has been contended that no one should seek wealth through the judiciary, as financial gain corrupts and undermines both the processes of justice and the fundamental nature of justice itself. A corrupt judge represents a calamity. The demise of a renowned lawyer does not offer as significant a threat to the public as the presence of a corrupt judge on the bench, as the latter inevitably compromises public interest and undermines the integrity of justice. When justice is commercialised, societal optimism is obliterated. Our society need an honest, reliable, and trustworthy judiciary. (Ifeoma Uchenna Ononye et al., 2020).

According to the 1999 Constitution of the Federal Republic of Nigeria, judicial officers are appointed through two methods. The two methods of appointments are identifiable in the Constitution of the Federal Republic of Nigeria 1999 (Abdullahi, 2014).

- i. The initial process entails an appointment by the President or Governor, based on the National Judicial Council's proposal, and subsequently ratified by the Senate or the relevant House of Assembly. The judicial members that ought to be appointed by this procedure:
 - ii. Chief Justice of Nigeria, President of the Court of Appeal, Chief Judge of the Federal High Court, Chief Judge of the High Court of Justice FCT Abuja, Chief Judge of State High Court, Grand Khadi of the Sharia Court of Appeal FCT Abuja, Grand Khadi of the Sharia Court of Appeal of States, President of the Customary Court of Appeal FCT Abuja, President of the Customary Court of Appeal of a State, and President of the National Industrial Court. The true architects of the appointment seem to be the National Judicial Council.
 - iii. The second form of appointment involves the President or Governor acting upon the National Judicial Council's proposal. Such an appointment does not require confirmation by either the Senate or House of Assembly. The judicial officers in this category include: Justices of the Supreme Court of Nigeria, Justices of the Court of Appeal, Judges of the Federal High Court, Judges of the High Court of Justice FTC Abuja, Judges of the High Court of Justice of States, Khadis of the Sharia Court of Appeal FCT Abuja, Khadis of the Sharia Court of Appeal of States, Judges of the Customary Court of Appeal FCT Abuja, Judges of the Customary Court of Appeal of States, and Judges of the National Industrial Court.
2. **Appointment and Retirement:** A judicial officer appointed to the Supreme Court or the Court of Appeal may retire at sixty-five and is required to depart office upon attaining seventy years of age. A judicial official not previously specified may retire at sixty years of age and is required to quit the job upon reaching sixty-five years of age (Abdullahi, 2014).

The dismissal of judicial officers under the existing framework is carried out by the President or Governor upon a two-thirds majority resolution from the pertinent legislative chamber, citing misconduct or inability to perform their responsibilities (for the Chief Justice of Nigeria or State Chief Judge) or based on the recommendation of the relevant judicial service commission (for other judicial officers). The preceding statement suggests that the appointment and removal of judges in Nigeria have primarily been governed by politicians, both civilian and military.



Section 292(1) of the 1999 Constitution mandates that a judicial officer cannot be removed from office before reaching retirement age except by the two methods outlined in the section. A judicial officer shall not be removed from office before attaining retirement age save under the following circumstances:

(a) (i) In the case of the Chief Justice of Nigeria, the President of the Court of Appeal, the Chief Judge of the Federal High Court, the Chief Judge of the High Court of the Federal Capital Territory, Abuja, the Grand Kadi of the Sharia Court of Appeal of the Federal Capital Territory, Abuja, and the President of the Customary Court of Appeal of the Federal Capital Territory, Abuja, are appointed by the President following an address supported by a two-thirds majority of the Senate.

(ii) The Chief Judge of a State, Grand Kadi of a Sharia Court of Appeal, or President of a Customary Court of Appeal of a State shall be chosen by the Governor, contingent upon an endorsement by a two-thirds majority of the State House of Assembly. Requesting his dismissal due to his inability to perform the duties of his role (whether due to mental or physical sickness) or for misconduct or breach of the Code of Conduct;

(b) In all cases not addressed in paragraph (a) of this subsection, the President or, as appropriate, the Governor may dismiss the judicial officer upon the National Judicial Council's recommendation due to the officer's inability to perform their duties (whether due to mental or physical incapacity) or for misconduct or breach of the Code of Conduct.

3. Salary placements: Judges' compensation must be sufficiently high to allow them to maintain a standard of living without relying on unethical financial sources, such as legal fees or bribes. Moreover, compensation must be sufficiently high to attract the most skilled and competent persons from the legal profession to the judiciary. Recruiting proficient judges will uphold significant esteem for the judiciary (Plank, 1996).

4. Essential Qualifications: Educational credentials must be sufficient to guarantee that judges can fulfil their duties proficiently. A legal system based on written documents requires literate judges. Judges in all legal systems must have sufficient education and comprehension to interpret the law and articulate the reasoning behind their decisions. Furthermore, an educational requirement allows judges to earn the respect of litigants and the community. The education of judges should impart various societal and legal system values (Plank, 1996).

5. Separation of powers: The separation of powers requires a structure in which individual judges or a group of judges constitute a tribunal that exercises judicial authority. If political entities adjudicated specific cases or directed judges in their decisions, it would undermine the functional separation and independence of the judiciary.

CAN WE ASSERT WITH CONFIDENCE THAT JUDICIAL INDEPENDENCE EXISTS IN NIGERIA?

Judicial independence denotes the notion that the judiciary should function independently from the other arms of government. In this setting, courts must remain impervious to



excessive influence from the legislative and executive branches, as well as from private or partisan interests. Judicial independence is crucial to the principle of separation of powers.

Given the Nigerian context and the prevailing conditions, it can be conclusively stated that politicians exert influence over the judiciary. Consequently, we cannot assert with confidence that judicial independence exists. The United States asserted that while the constitution guarantees an independent judiciary, the Nigerian court is susceptible to influence from the administrative and legislative branches, as well as the economic sector (Adedaja, 2012). Political involvement and governmental influence undermine the autonomy and impartiality of the judiciary (Olasupo, 2025). Alhaji Atiku Abubakar, the presidential candidate for the Peoples Democratic Party (PDP) in the recent Nigerian election, condemned the Nigerian court after his appeal against the presidential election tribunal's verdict was dismissed. He obtained significant evidence, including declarations from retired Supreme Court Justice Musa Muhammad Dattijo, who recently discussed his constituency. The retiring jurist emphasised the decline of values and public confidence in the judiciary. Dattijo contemplated his more than forty years on the nation's bench, evaluated the judiciary's efficacy, and identified the several circumstances leading to its deterioration. He examined the broad powers of the Chief Justice of Nigeria (CJN) and sought a reassessment. Dattijo elucidated the dangers of disregarding this issue by citing British historian Sir John Dalberg-Acton, who asserted, "power tends to corrupt and absolute authority corrupts totally." He also discussed nepotism and the extensive process for judicial nominations. He acknowledged the inappropriate connections between judges and politics, advocating for prompt reassessments. Political leaders, especially governors, subvert the judiciary and, hence, the political process by exercising influence on the National Judicial Council in judicial appointments. Dattijo highlighted this matter by discussing lobbying and the exertion of political influence on judge nominations. Without full and authentic judicial independence, governors will continue to manipulate the NJC and influence the nomination of their affiliates, thereby jeopardising the autonomy of this esteemed branch of government, frequently viewed as the last bastion for the ordinary citizen (Niran Adedokun, 2023)

The autonomy of the Nigerian judiciary is significantly undermined, as allegations of corruption continue to permeate public discourse, despite the elevated salaries of the Superior Courts of Records, leading to the removal of judges based on substantiated claims (Olasupo, 2025).

Judicial corruption in Nigeria results from the activities of desperate politicians attempting to retain influence in the corridors of power. This factor has impeded and blocked the progress of Nigeria's democratic process. Corrupt politicians often bribe judges of election petition tribunals to succeed in cases and get political positions. This has enabled corrupt politicians to assume the authority of less powerful politicians (Chi, 2019). It is unfortunate to see that the judiciary has often remained silent regarding dangers to democracy in Nigeria recently. This situation is due to corrupt politicians co-opting unethical judicial servants, leading some judges to use technicalities to avoid delivering real justice (Chi, 2019).

So many judges persistently endure mistreatment from politicians. The National Judicial Council (NJC) suspended the President of the Court of Appeal (PCA), Justice Ayo Isa Salami, for his refusal to apologise to the NJC, followed by the NJC's subsequent recall of Salami from suspension. Additionally, President Goodluck Jonathan's refusal to endorse the NJC's



actions raises concerns regarding the partisan nature and degree of independence within the Nigerian judiciary (Channels Television, 2012).

Another notable instance was the retirement of former Chief Justice of Nigeria, Walter Onnoghen, who was suspended on January 25, 2019. The proceedings and verdict of the Code of Conduct Tribunal concerning the allegation of asset non-disclosure against the former Chief Justice of Nigeria remain a subject of discourse.

The independent UN Special Rapporteur on the independence of judges and lawyers asserted that the dismissal of Nigeria's Chief Justice could signify a serious assault on judicial independence from the State. He asserted that international human rights principles dictate that judges can only be dismissed for grave misconduct or incompetence. Any decision to suspend or remove a judge from office must be equitable and made by an autonomous authority, such as a judicial council or a court. Nigeria's President, Muhammadu Buhari, made the decision to replace Chief Justice Onnoghen with Ibrahim Tanko Mohammad, saying that he had "acted in compliance" with a tribunal's order on suspected infractions of the code of conduct for public officials. This occurred notwithstanding the orders from four higher courts to suspend the proceedings, as observed by the UN expert, which included the Court of Appeal, the National Industrial Court, and two Federal High Courts. He expressed concern over the intimidation of defence attorneys and judges linked to the ousting of Chief Justice Onnoghen. He warned that others have faced significant threats, pressures, and interferences, indicating that these could constitute a grave assault on the independence of the judiciary and the unimpeded exercise of the legal profession (Garcia-Sayan, 2019).

The budget and allocation of funding indicate that the judiciary in Nigeria lacks independence. The Federal Government of Nigeria and State Governments frequently engage in the financial process and the distribution of funds to the Courts in Nigeria. This further underscores the issue of judicial independence in Nigeria. This arises from the unrestrained dominance of one governmental branch over another, potentially leading to a flawed budgetary allocation procedure. This is generally a challenge in Nigeria, as the government neglects and contravenes stated constitutional limitations, especially by the State Governors (Ifeoma Uchenna Ononye et al., 2020).

The Constitution stipulates that any funds allocated to the judiciary in the State's Consolidated Revenue Fund will be disbursed immediately to the respective heads of the Courts. This provision is frequently disregarded, particularly when the head of the relevant court has a strained relationship with the executive branch. The deficiency of financial resources may lead to the unavailability or significant inadequacy of physical facilities, including courtrooms, chambers, registries, and support staff offices, thereby obstructing case processing and essential services, ultimately compromising the system's capacity to fulfil demand and deliver requisite justice. At times, the compensation and allowances for support personnel may be inadequate and delayed for months, leading to an atmosphere of frustration and discontent, which generally promotes indiscipline, corruption, and ultimately, systemic failure (Ifeoma Uchenna Ononye et al., 2020).

An independent judiciary must be devoid of undue interference from the executive branch and political influences, while also conveying an impression of autonomy. This invokes the



established maxim, "Justice must not only be executed, but it must also be perceived as executed." To maintain justice, the courts must remain unaffected by external influences and avoid any semblance of vulnerability to such pressures (Meyerson, 2015). To enable such a perspective, they must possess no authentic or apparent affiliation with a political party. The existence of such interaction would suggest a bias towards the policies of that party or, if the party is in power, a bias favouring the state, resulting in pressures from the executive branch that could compromise judicial independence (Morrison, 2013).

CONCLUSION AND RECOMMENDATIONS

From the situations examined in this research, it can be safely concluded that independence of the judicial arm of government in Nigeria is a myriad. It is also concluded that corruption in the judicial system in Nigeria is a reality. Various scholars have noted that Nigeria is still struggling to achieve independence of judiciary which is indeed a setback to the Nigerian judicial system. Various impediments to judicial independence have been discussed which includes but not limited to corruption and it is high time Nigeria as a country embraced judicial independence so that the country can move forward in line with best international practices. The following recommendations are made:

Firstly, the procedure for appointments of judges should be re-accessed and complied with. Only those who are competent should be appointed as judges and such should be free from political interference.

Secondly, the salary of judicial officers should be reviewed regularly. We acknowledge the efforts of the Federal government of Nigeria in the upward review of the salary recently after a very long time. This review should be conducted on a yearly basis to serve as motivation for them and to prevent corruption.

In addition, regular orientation should be conducted for judicial officers on the need to maintain their integrity and serve the country in all honesty to guarantee a secure judicial system.

Lastly, political influence on judicial officers should be addressed as a matter of urgency as this has very bad implications for the judicial system as discussed in the paper.



REFERENCES

- Abdullahi, I. (2021). Independence of the Judiciary in Nigeria: A Myth or Reality? *International Journal of Public Administration and Management Research*, [online] 2(3), pp.55–66. Available at: <https://journals.rcmss.com/index.php/ijpamr/article/view/450> [Accessed 15 Feb. 2025].
- Adedokun, N. (2023). *Politicians, not judiciary, are Nigeria's problem*. [online] Punchng.com. Available at: https://punchng.com/politicians-not-judiciary-are-nigerias-problem/#google_vignette [Accessed 19 Feb. 2025].
- Borovytskyi, O. (2019). Judicial Governance and Judicial Self-Governance as a Guarantee of Judicial Independence. *University Scientific Notes*, pp.367–377. doi:<https://doi.org/10.37491/unz.71.30>.
- Caflisch, L. (2003). Independence and Impartiality of Judges. *The Law & Practice of International Courts and Tribunals*, 2(1), pp.169–174. doi:<https://doi.org/10.1163/157180303100420230>.
- Cambridge Dictionary (2019). *INDEPENDENCE | meaning in the Cambridge English Dictionary*. [online] Cambridge.org. Available at: <https://dictionary.cambridge.org/dictionary/english/independence>.
- Dahiru Musdapher (2011). *The Nigerian Judiciary*. Nigerian Institute of Advanced Legal Studies.
- Diego Garcia-Sayan, D. (2019). *Judicial independence under threat in Nigeria, warns UN rights expert*. [online] UN News. Available at: <https://news.un.org/en/story/2019/02/1032391>.
- Edosa, E. and Fenemigho, E. (2014). The Judiciary as an Organ of Government. *African Research Review*, 8(3), p.92. doi:<https://doi.org/10.4314/afrev.v8i3.7>.
- Faozy, F. (2021). Independence of the Judiciary; Fallacy or Reality? *SSRN Electronic Journal*. doi:<https://doi.org/10.2139/ssrn.3962722>.
- Geyh, C.G. (2008). Straddling the Fence Between Truth and Pretense: The Role of Law and Preference in Judicial Decision Making and the Future of Judicial Independence. *Notre Dame journal of law, ethics & public policy*, 22(2), p.435.
- Guarnieri, C. (2013). Judicial independence in europe: threat or resource for democracy? *Representation*, 49(3), pp.347–359. doi:<https://doi.org/10.1080/00344893.2013.830486>.
- Guobadia, O.O. (2012). The Relevance of the Judiciary in a Democratic Nigeria. *African Journal of International and Comparative Law*, 20(2), pp.301–317. doi:<https://doi.org/10.3366/ajicl.2012.0035>.
- Ifeoma Uchenna Ononye, Udoka Dennis Oguekwe and Adaeze Udeze Oguekwe (2020). Independence Of The Judiciary: The Nigerian Experience. *Journal of Public and Private Law, UNIZIK*, 10(Vol. 10).
- Katharina Kiener-Manu (2024). *Anti-Corruption Module 1 Key Issues: Effects of Corruption*. [online] [www.unodc.org](https://www.unodc.org/e4j/zh/anti-corruption/module-1/key-issues/effects-of-corruption.html). Available at: <https://www.unodc.org/e4j/zh/anti-corruption/module-1/key-issues/effects-of-corruption.html>.
- Lakai, L. (2017). The nigerian judiciary in the 21st century and the challenges in justice delivery. *KAS African Law Study Library - Librairie Africaine d'Etudes Juridiques*, 4(3), pp.424–439. doi:<https://doi.org/10.5771/2363-6262-2017-3-424>.
- Lambais, G. and Sigstad, H. (2023). Judicial subversion: The effects of political power on court outcomes. *Journal of Public Economics*, [online] 217, p.104788. doi:<https://doi.org/10.1016/j.jpubeco.2022.104788>.
- Law, D.S. (2016). Judicial independence. In: *Encyclopædia Britannica*. [online] Available at: <https://www.britannica.com/topic/judicial-independence>.
- Leiter, B. (2020). THE ROLES OF JUDGES IN DEMOCRACIES: a realistic view. *REI - REVISTA ESTUDOS INSTITUCIONAIS*, 6(2), pp.346–375. doi:<https://doi.org/10.21783/rei.v6i2.508>.



- Meyerson, D. (2015). Why Should Justice Be Seen to Be Done? *Criminal Justice Ethics*, 34(1), pp.64–86. doi:<https://doi.org/10.1080/0731129x.2015.1019780>.
- Nwakodo, U. and Ubani, E. (2023). The Judiciary and Democratic Politics in Nigeria. *Journal of Health, Applied Sciences and Management*, 7(1), pp.226–237.
- Ogunwumiju, A. (2017). The Nigerian Judiciary: Challenges and Prospects. *Journal of African Political Economy*, 18(1), pp.68–84.
- Olawuyi, D. (2019). Reforming the Judiciary in Nigeria: Perspectives and Challenges. *Journal of African Law*, 63(2), pp.129–144.
- Our Reporter (2019). *Politicians kill, judges bury...* [online] Tribune Online. Available at: <https://tribuneonlineng.com/politicians-kill-judges-bury/> [Accessed 19 Feb. 2025].
- Petrarca, R. (2022). *Independence: Definition, Use & Examples*. [online] Study.com. Available at: <https://study.com/academy/lesson/what-is-independence-definition-lesson-quiz.html>.
- polyas.com. (2017). *The Judiciary*. [online] Available at: <https://www.polyas.com/election-glossary/judiciary>.
- Salihu, H.A. and Gholami, H. (2018). Corruption in the Nigeria Judicial System: An Overview. *Journal of Financial Crime*, 25(3), pp.669–680. doi:<https://doi.org/10.1108/jfc-01-2017-0005>.
- So-oriari, G. and So Oriari, J. (2024). Independence of the Judiciary in Nigeria and the Menace of Political Interference. *Journal of jurisprudence, international law and contemporary legal issues*, 18(1).