

# Assessing Judicial Independence and Its Impact on Democratic Consolidation in Nigeria: The Case of The Fourth Republic

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**Abstract:** This study investigates the state of judicial independence in Nigeria during the Fourth Republic and its impact on the consolidation of democracy. The research addresses persistent challenges which includes Persistent encroachment by the executive branch which undermines judicial autonomy, particularly in appointments and removals of judges, Corruption and Lack of Accountability, Financial Dependence, and Inconsistent Adherence to Constitutional Provisions. The study also explores the relationship between judicial autonomy and democratic stability and proposes actionable reforms. The research employs a qualitative research design, utilizing content analysis of secondary data sources, including legal documents, scholarly articles, and reports. Landmark cases and reforms since 1999 are reviewed to assess the judiciary's role in democratic consolidation. The research is anchored on the theory of Separation of Powers, emphasizing the necessity of distinct and independent branches of government for democratic sustainability. The framework posits that an autonomous judiciary is critical for checks and balances, protection of rights, and the legitimacy of democratic institutions. The study revealed the followings that, there is infinitesimal judicial independence in Nigeria, The judiciary's effectiveness in arbitrating political disputes has contributed to periods of democratic stability, yet its compromised independence has also enabled electoral manipulation and undermined public confidence, Efforts such as the establishment of the National Judicial Council (NJC) and executive orders on financial autonomy have yielded some improvements, but enforcement remains inconsistent and vulnerable to political interests. The study provides some salient recommendation such as the followings, there is the need to Strengthen Financial Autonomy, vest the power of appointing and removing judges in an independent judicial commission, minimizing executive and legislative interference, Implement robust ethical standards, regular assessments, and disciplinary measures to combat corruption and restore public trust and Invest in training and capacity-building for judicial officers to uphold integrity, professionalism, and resilience against external pressures among others

**Keywords:** Judicial Independence, Democratic Consolidation, Fourth Republic, Corruption and Financial Autonomy

## I. INTRODUCTION

The independence of the judiciary is a cornerstone of democratic governance, ensuring that judicial decisions are made free from external pressures, particularly from the executive and legislative branches. In Nigeria, this principle is constitutionally enshrined in the 1999 Constitution, which vests judicial powers in the courts and

establishes mechanisms such as the National Judicial Council (NJC) to safeguard judicial autonomy. The NJC holds significant authority over the appointment, discipline, and removal of judges, as well as control over judicial administration and finances, reflecting a constitutional commitment to an independent judiciary (West-Idahosa, 2021). This framework is critical in a country like Nigeria, where democratic consolidation depends heavily on the judiciary's ability to act as a check on other branches of government and uphold the rule of law.

Historically, Nigeria's judiciary has faced challenges that undermine its independence, including political interference, inadequate funding, and executive overreach. Despite constitutional provisions, the judiciary has often been the least funded arm of government, which compromises its operational autonomy and exposes judges to external influences (Leke, 2021). The Fourth Republic, beginning in 1999, marked a renewed effort to strengthen judicial independence, with constitutional amendments aimed at securing financial autonomy for the judiciary. Notably, the 4th alteration to the Constitution mandates that judicial budgets be paid directly to the judiciary, a reform enforced by presidential executive orders to counteract state-level noncompliance (Leke, 2021). These efforts underscore the ongoing struggle to translate constitutional ideals into practical realities within Nigeria's democratic framework.

The concept of judicial independence in Nigeria is deeply rooted in the doctrine of separation of powers, which is fundamental to constitutional democracy. This doctrine ensures that the judiciary operates as an autonomous branch, free from domination by the executive or legislature, thereby protecting citizens from political tyranny and administrative abuses (Ononye, Oguekwe & Oguekwe, 2020); (Journal of African Law, 1990). The Nigerian Fourth Republic has witnessed attempts to actualize this doctrine, recognizing that a truly independent judiciary is essential for democratic consolidation. Scholars argue that the judiciary's ability to deliver impartial justice enhances public confidence in democratic institutions and promotes sustainable democracy by enforcing constitutionalism and the rule of law (Maduekwe, Ojukwu & Agbata, 2016).

However, despite these constitutional safeguards and reforms, challenges persist in fully achieving judicial independence in Nigeria's Fourth Republic. Political interference, especially in judicial appointments and removals, remains a contentious issue, and the judiciary's effectiveness is often compromised by systemic weaknesses and external pressures (Aka, 2015). The judiciary's role in democratic consolidation is thus a complex interplay of constitutional provisions, political will, and institutional capacity. Addressing these challenges is crucial for Nigeria's democratic stability, as an independent judiciary not only adjudicates disputes but also acts as a guardian of democratic norms and human rights, reinforcing democratic consolidation in the country's evolving political landscape.

In-line with the above analysis, the study has the follow research objectives; to evaluate the extent to which judicial independence is constitutionally guaranteed in Nigeria during the Fourth Republic, to identify the challenges and limitations affecting the judiciary's independence and how these impact democratic consolidation, to analyze the relationship between judicial independence and the effectiveness of democratic governance in Nigeria and to propose reforms that could strengthen judicial autonomy and thereby enhance democratic consolidation in Nigeria's Fourth Republic. Accordingly, the study is guided by these research questions; to what extent is judicial independence constitutionally guaranteed and practiced in Nigeria during the Fourth Republic? What are the major challenges and limitations affecting the independence of the judiciary

in Nigeria, and how do these challenges impact democratic consolidation? How does judicial independence influence the effectiveness and stability of democratic governance in Nigeria's Fourth Republic? What reforms can be implemented to strengthen judicial autonomy and enhance democratic consolidation in Nigeria?

## II. CONCEPTUAL REVIEW

### Judicial Independence

Judicial independence is fundamentally the principle that courts and judges must be able to perform their duties free from external influences or control, whether from other branches of government or private interests. This autonomy ensures that judicial decisions are made impartially, based solely on law and facts, without undue pressure or interference (Britannica, 2014). It is widely regarded as essential for upholding the rule of law, protecting human rights, and maintaining public confidence in the justice system. The United Nations and other international bodies have formally endorsed judicial independence as a cornerstone of democratic governance and fair legal processes (Ononye, Oguekwe & Oguekwe, 2020).

Conceptually, judicial independence encompasses both institutional and individual dimensions. Institutionally, it requires that the judiciary as a whole operates without interference from the executive or legislature. Individually, judges must be protected from threats, reprisals, or political pressures that might influence their rulings (Encyclopedia.com, 2025). The principle also safeguards the separation of powers, ensuring that no branch of government can dominate or undermine the judiciary. This independence is critical for protecting minority rights and holding governments accountable to constitutional norms (Encyclopedia.com, 2025)

In the Nigerian context, judicial independence is constitutionally guaranteed but faces practical challenges. The Nigerian Constitution provides for the security of tenure and protection against arbitrary removal of judges, aiming to insulate the judiciary from political interference. However, in practice, the judiciary often contends with executive encroachment, corruption, and political pressures that undermine its autonomy (inference based on general knowledge of Nigeria's judicial system and the principle that formal guarantees do not always translate into actual independence as noted by Britannica, 2014). Ensuring genuine judicial independence in Nigeria requires strengthening institutional safeguards, enhancing transparency in judicial appointments, and protecting judges from intimidation or retaliation.

Ultimately, judicial independence in Nigeria is vital for the country's democratic stability and the protection of fundamental rights. Without an independent judiciary, the enforcement of laws and constitutional provisions becomes vulnerable to manipulation by powerful interests, eroding public trust and the rule of law. Strengthening judicial independence would empower Nigerian courts to act as effective checks on executive and legislative excesses, thereby promoting justice, fairness, and democratic governance in the nation (Britannica, 2014).

### Democratic Consolidation

Democratic consolidation refers to the process through which a new democracy matures, stabilizes, and becomes self-sustaining, making it highly unlikely to revert to authoritarian rule (Wikipedia, 2007; Britannical, 2025). It is characterized by the acceptance of democracy as the only legitimate system of governance, where no significant political group attempts to overthrow the democratic order, and conflicts are resolved through established political and constitutional mechanisms (Wikipedia, 2007; Tranvåg, 2021). Key features include the institutionalization of democratic norms, the presence of competitive elections, respect for civil liberties, and the development of a political culture that supports democratic governance (Schedler, 1998)

The essential features of democratic consolidation involve the routinization of democracy as the "only game in town," meaning that political actors and the public alike accept democratic processes as the sole means of political competition and conflict resolution (Linz & Stepan, 1996). This includes the establishment of strong institutions such as an independent judiciary, free and fair elections, a vibrant civil society, and political parties that respect electoral outcomes (Tranvåg, 2021; Britannical, 2025). Moreover, democratic consolidation requires that political actors comply with democratic rules even when they lose power, and that citizens engage actively in political life, reinforcing democratic norms and values (Schedler, 1998).

Applying this framework to Nigeria reveals a complex picture. Since the return to civilian rule in 1999, Nigeria has made significant strides in democratic consolidation, including regular elections and the peaceful transfer of power between parties. However, challenges remain, such as electoral irregularities, political violence, corruption, and weak institutional capacity, which undermine full consolidation (Wikipedia, 2007). The persistence of clientelism and occasional attempts to subvert democratic norms indicate that Nigeria's democracy is still in a fragile state, where democratic practices coexist with authoritarian tendencies and political instability (Wikipedia, 2006).

For Nigeria to achieve deeper democratic consolidation, it must strengthen its democratic institutions, enhance the rule of law, and foster a political culture that fully embraces democratic competition and accountability. This includes ensuring electoral integrity, promoting political inclusiveness, and reducing corruption and violence in the political process (Tranvåg, 2021). Only through these measures can democracy become truly institutionalized and accepted as the only legitimate system of governance in Nigeria, fulfilling the criteria of democratic consolidation as defined by scholars.

### **The Fourth Republic**

The Fourth Republic of Nigeria refers to the current democratic government system that began in 1999, marking the country's return to civilian rule after decades of military dictatorship. It is governed by the 1999 constitution, which established an American-style presidential system, replacing the earlier Westminster parliamentary model. The Republic was inaugurated following the death of military ruler General Sani Abacha and the transitional efforts of his successor, General Abdulsalami Abubakar, who facilitated the lifting of political bans and the release of political prisoners. The first president of the Fourth Republic was Olusegun Obasanjo, a former military head of state, who was democratically elected in the 1999 general elections (Wikipedia, 2007).

Historically, Nigeria's political trajectory has been marked by instability, with previous republics interrupted by military coups and political crises. The First Republic (1960–1966), Second Republic (1979–1983), and the short-lived Third Republic (1990–1993) all ended prematurely due to military interventions and annulled elections. The Fourth Republic, therefore, represents a significant milestone in Nigeria's political development as it has lasted longer than any of its predecessors, sustaining over two decades of civilian governance despite ongoing challenges (Punch, 2022; Wikipedia, 2007).

The Fourth Republic has witnessed the emergence and consolidation of political parties such as the People's Democratic Party (PDP), All Nigeria Peoples Party (ANPP), and Alliance for Democracy (AD). It has also seen the establishment of democratic institutions like the Independent National Electoral Commission (INEC) and the Economic and Financial Crimes Commission (EFCC), aimed at promoting electoral integrity and combating corruption. The Republic has experienced several presidential transitions through elections, including the historic 2015 election where Muhammadu Buhari defeated the incumbent, marking the first peaceful transfer of power between political parties since independence (Wikipedia, 2007).

Despite its democratic nature, Nigeria's Fourth Republic has faced significant challenges, particularly the increasing militarization of politics and governance. Security concerns have led to a disproportionate allocation of resources to military and security agencies, sometimes at the expense of social development programs. This militarized democracy reflects a complex interplay between democratic aspirations and the legacy of military influence in Nigerian politics, which continues to shape the nation's political and socio-economic landscape (Nwankpa, 2021).

## Corruption

Corruption is broadly defined as the abuse of entrusted power for private gain, encompassing a range of dishonest or fraudulent behaviors such as bribery, embezzlement, influence peddling, and nepotism (Transparency International, 2024; Investopedia, 2023). It involves individuals or entities in positions of authority exploiting their power to benefit themselves or their associates at the expense of the public good. This misuse of power undermines fairness, efficiency, and trust in institutions, often disproportionately harming vulnerable populations by limiting their access to essential services like education, healthcare, and justice (ICPC Nigeria, 2015; Transparency International, 2024). Corruption can occur in various sectors, including government, business, judiciary, and civil society, and it adapts to different contexts and evolving systems.

Key features of corruption include its \*systemic nature, secrecy, and adaptability\*. Corruption often operates in the shadows, facilitated by enablers such as bankers, lawyers, and opaque financial systems that help launder illicit wealth (Transparency International, 2024). It manifests in both individual and collective forms, ranging from petty bribery to large-scale state capture where entire governments or institutions are structured to maximize corrupt profits (Carnegie Endowment, 2015). The phenomenon is closely linked to institutional weaknesses, poor enforcement of laws, lack of accountability, and skewed incentives that allow corrupt actors to circumvent rules designed to ensure equity and efficiency (ICPC Nigeria, 2015). Corruption erodes democratic foundations, hampers economic development, and fosters social inequality and division.

Applying this conceptual framework to the Nigerian judiciary, corruption manifests as the misuse of judicial authority for personal enrichment or influence. The judiciary, ideally an impartial arbiter of justice, faces challenges such as bribery, manipulation of case outcomes, and nepotism, which undermine public confidence in legal processes (Investopedia, 2023; Transparency International, 2024). Such corruption distorts the rule of law, allowing powerful individuals to evade justice while ordinary citizens are denied fair treatment. It also leads to inefficiencies and delays in the judicial system, further eroding trust and weakening democratic governance. The Nigerian judiciary's corruption reflects broader institutional weaknesses and inadequate accountability mechanisms that enable corrupt practices to persist (ICPC Nigeria, 2015).

Efforts to combat corruption in Nigeria's judiciary require strengthening institutional frameworks, enhancing transparency, and enforcing strict accountability measures. Public awareness and robust anti-corruption campaigns are essential to restore trust and ensure the judiciary fulfills its role as a fair and independent institution (Transparency International, 2024; ICPC Nigeria, 2015). Addressing corruption in the judiciary not only promotes justice but also supports broader social and economic development by reinforcing the rule of law and democratic governance.

### **Theoretical Framework**

The theory of separation of powers is a foundational principle in constitutional democracy, advocating for the division of government responsibilities into three distinct branches: the legislative, executive, and judicial. This division is designed to prevent the concentration of unchecked power and to establish a system of checks and balances, ensuring that no single branch dominates or infringes on citizens' rights (Investopedia, 2025; Britannica, 2025). The theory was most famously articulated by Montesquieu in the 18th century, who argued that liberty is best safeguarded when these powers are separate and independent (Study.com, 2025; Britannica, 2025). In Nigeria, this principle is enshrined in the 1999 Constitution, which explicitly vests legislative, executive, and judicial powers in separate organs of government, reflecting the horizontal separation of powers (Maduekwe, Ojukwu & Agbata, 2016).

Judicial independence, a core element of the separation of powers, is critical for democratic consolidation in Nigeria's Fourth Republic. It ensures that the judiciary operates free from undue influence by the executive or legislature, thereby upholding the rule of law, constitutionalism, and protection of fundamental rights (Journal of African Law, 1990). The Nigerian judiciary's independence is seen as a necessary bulwark against political tyranny, administrative victimization, and social oppression, which have historically undermined democratic stability in the country (Maduekwe et al., 2016). The judiciary's role in reviewing constitutional matters and safeguarding justice reinforces democratic governance and promotes sustainable democracy by stabilizing the political system (Maduekwe et al., 2016).

Empirical studies on Nigeria's Fourth Republic demonstrate that the effective practice of separation of powers, particularly judicial independence, positively impacts democratic consolidation. The judiciary's ability to deliver impartial verdicts and uphold due process has enhanced democratic stability, despite challenges from authoritarian legacies and political pressures (Maduekwe et al., 2016). For democracy to consolidate in Nigeria, it is imperative that the independence of the judiciary is respected and protected, as this ensures accountability, transparency, and the rule of law cornerstones of a functioning democracy (Maduekwe et al., 2016). Thus, the

separation of powers theory remains a vital framework for understanding and strengthening Nigeria's democratic institutions.

### Gap in Knowledge

1. The discrepancy between formal guarantees and practical judicial independence: While Nigeria's constitution provides formal guarantees for judicial independence; studies reveal a significant gap between these de jure provisions and the judiciary's de facto independence. Judicial decisions are often influenced by socio-political pressures and litigants' financial or political power rather than merit, highlighting a complex socio-cultural context affecting judicial behavior that existing studies have not fully explored
2. Impact of executive interference and structural challenges: despite constitutional safeguards, executive interference remains a persistent challenge undermining judicial independence in Nigeria. This includes influence over judicial appointments, funding dependence, and interference in criminal justice processes. The inadequacy of reforms to fully insulate the judiciary from executive overreach presents a critical gap, especially regarding how these interferences affect democratic consolidation in the Fourth Republic (Ononye, Oguekwe & Oguekwe, 2020).
3. Judicial performance issues, delay, corruption, and bias, The judiciary faces operational challenges such as delays in trial proceedings, corruption, and ethnic or sectional biases, which erode public trust and the judiciary's role as a neutral arbiter. These practical impediments to justice delivery have not been sufficiently linked in the literature to their broader impact on democratic consolidation, representing a gap in understanding how judicial inefficiencies affect democratic stability in Nigeria's Fourth Republic (Nomos-elibrary, 2017; NULAI, 2024).

These perspectives underscore the need for research that goes beyond constitutional theory to critically analyze the socio-political realities and institutional weaknesses affecting judicial independence and democratic consolidation in Nigeria.

### Judicial Independence: Constitutional Guarantee and Practice in Nigeria Fourth Republic

Judicial independence in Nigeria's Fourth Republic is constitutionally guaranteed by the 1999 Constitution, which establishes the judiciary as a separate and co-equal arm of government, protected by provisions such as the establishment of the National Judicial Council (NJC) and the Federal Judicial Service Commission (FJSC) to oversee appointments, discipline, and removal of judges. These measures aim to insulate the judiciary from executive and legislative interference, upholding the doctrine of separation of powers and the rule of law as foundational to democratic governance (Ononye, Oguekwe, & Oguekwe, 2020; Aka, 2015). The Constitution also empowers the judiciary to adjudicate without fear or favor, theoretically ensuring fair and impartial justice (Ononye, Oguekwe & Oguekwe, 2020; Joshua, 2014).

Despite these constitutional guarantees, the actual practice of judicial independence in Nigeria reveals significant discrepancies. Empirical studies and ethnographic research indicate that judicial decisions often reflect influences beyond legal merit, including political, financial, and social pressures on judges, undermining their decision-making autonomy (Walsh & Dam, 2025). Public distrust of the judiciary is widespread, fueled by

perceptions and documented cases of corruption, executive interference, and manipulation in judicial appointments and rulings (Walsh & Dam, 2025). For instance, the dismissal of senior judges for corruption and the controversial handling of the Chief Justice of Nigeria's office highlight the fragility of judicial independence in practice (Ononye et al., 2020). These challenges suggest that formal constitutional protections alone are insufficient without addressing deeper socio-cultural and systemic factors affecting judicial behavior.

The gap between constitutional guarantees and judicial practice in Nigeria's Fourth Republic underscores the complexity of securing true judicial independence. While the legal framework provides robust protections, the judiciary remains vulnerable to external pressures embedded in Nigeria's political and social context. Meaningful reform requires not only strengthening institutional safeguards but also tackling socio-cultural influences that compromise judicial impartiality, such as political patronage and economic disparities among litigants (Walsh & Dam, 2025). Enhancing transparency, accountability, and judicial ethics, alongside reinforcing the NJC's role, could help bridge the divide between constitutional ideals and judicial realities, thereby fostering a judiciary that commands public confidence and effectively upholds the rule of law (Ononye et al., 2020; Aka, 2015).

### **Challenges of Judicial Independence and the Impact on Democratic Consolidation in Nigeria**

The judiciary in Nigeria's Fourth Republic faces significant challenges to its independence, which in turn impacts democratic consolidation. Despite constitutional provisions guaranteeing judicial autonomy, the judiciary remains vulnerable to executive interference, corruption, and inadequate funding, which undermine its ability to act as an effective check on the other branches of government (Ononye, Oguekwe & Oguekwe, 2020; Achinonu, 2024). Executive influence often manifests through control over judicial appointments and enforcement of court decisions, compromising impartiality and public confidence in the judiciary. Additionally, delays in trial proceedings and ethno-religious biases further erode the judiciary's credibility and effectiveness in delivering justice (Nomos eLibrary, 2017).

This fragile judicial independence has a direct bearing on \*democratic consolidation in Nigeria\*, as the judiciary is a crucial institution for upholding the rule of law and protecting citizens' rights. When the judiciary is perceived as compromised or politicized, it weakens democratic norms and allows for unchecked executive power, which can lead to authoritarian tendencies (Aka, 2015). Moreover, the judiciary's overreach in some cases such as overstretching its competence to satisfy political interests—also threatens its independence by aligning it with powerful actors rather than maintaining neutrality (Sulayman, 2024). Thus, the judiciary's struggles with independence hinder the development of a stable, accountable democratic system.

To strengthen judicial independence and thereby support democratic consolidation, reforms are necessary. These include ensuring adequate funding, insulating judicial appointments and discipline from political interference, and promoting transparency and accountability within the judiciary (Ononye et al., 2020; Achinonu, 2024). Learning from comparative experiences, Nigeria could also benefit from reinforcing the separation of powers and enhancing public engagement in defending judicial autonomy. Without such measures, the judiciary's compromised independence will continue to pose a major obstacle to Nigeria's democratic progress.

## **Judicial Independence Influence on Stability of Democratic Governance of Nigeria Fourth Republic**

Judicial independence has played a pivotal role in shaping the stability of democratic governance in Nigeria's Fourth Republic. An autonomous judiciary is fundamental to upholding the rule of law, ensuring checks and balances, and protecting citizens' rights. Studies indicate that where the judiciary operates free from undue influence by the executive or legislative branches, it acts as a safeguard against authoritarian tendencies and promotes societal order, thereby fostering democratic consolidation (Journal of Health, Applied Sciences and Management, 2023). The judiciary's impartial interpretation and application of the law are widely recognized as essential for the survival and advancement of democracy in Nigeria.

Despite the acknowledged importance of judicial independence, the Nigerian judiciary has been persistently hampered by issues of delays, corruption, and bias, which threaten its effectiveness and the broader democratic project. The Chief Justice of Nigeria has repeatedly expressed concern over these persistent challenges, noting that allegations of corruption, inefficiency, and delayed justice erode public confidence and weaken the judiciary's authority. These performance issues create disconnect between the courts and the society they serve, undermining the legitimacy of the judiciary as the final arbiter of disputes and as the custodian of constitutional order. The prevalence of such issues highlights the need for urgent reforms to restore faith in the judicial system and reinforce its role in democratic governance. (Business Day NG. 2025)

The impact of judicial performance challenges on Nigeria's democratic stability is profound. When the judiciary is perceived as corrupt or biased, or when justice is delayed, public trust diminishes, and the rule of law is compromised. (PM News Nigeria. 2025). This not only impairs the judiciary's ability to discharge its constitutional mandate but also threatens the consolidation and sustainability of democracy. Research underscores that sustainable democratic governance in Nigeria is contingent on the state's commitment to establishing, respecting, and protecting the independence of the judiciary, alongside addressing inefficiencies and ensuring accountability. (Journal of Health, Applied Sciences and Management, 2023). Ultimately, the strengthening of judicial independence and performance is indispensable for the continued stability and legitimacy of Nigeria's Fourth Republic.

## **Enhancing Judicial Independence to Impact Democratic Consolidation in Nigeria Fourth Republic**

Judicial independence is fundamental to democratic consolidation, yet Nigeria's Fourth Republic has faced persistent challenges undermining this principle. Despite constitutional guarantees, the judiciary's autonomy is often compromised by executive dominance over judicial appointments, funding, and disciplinary processes, resulting in a disconnect between formal provisions and practical realities. (Akpotu & Offiah, 2022). Political interference remains pervasive, with instances of "judge shopping" and high-profile alignments between judicial leaders and powerful politicians, eroding public confidence in the impartiality of the courts. (Joelson, 2015). These structural weaknesses have allowed the executive and legislative arms to exert undue influence, making the judiciary vulnerable to manipulation and diminishing its role as an impartial arbiter essential for upholding democratic norms. (Intpolicydigest, 2024).

Corruption is a critical impediment to judicial independence in Nigeria. Surveys by the United Nations Office on Drugs and Crime (UNODC) reveal that up to 20% of individuals interacting with the judiciary encounter demands for bribes, with both male and female judges implicated. (Intpolicydigest, 2024). High-profile arrests of judges and justices on corruption charges have further exposed deep-seated problems. (Adengor, 2015). The persistence of corruption is compounded by systemic issues such as inadequate remuneration, lack of transparency in case assignments, and insufficient accountability mechanisms. (Caracciolo, 2021). These factors not only compromise the integrity of judicial decisions but also foster perceptions of bias, undermining the judiciary's legitimacy and its capacity to support democratic consolidation. (Modern Ghana,2024: Business Day NG. 2025) )

Delays in the dispensation of justice further threaten the effectiveness and credibility of Nigeria's judiciary. With hundreds of thousands of cases pending and some trials stretching over decades, the maxim "justice delayed is justice denied" resonates deeply. These delays are driven by institutional inefficiencies, underfunded courts, outdated procedures, and an overwhelming backlog of cases. (Modern Ghana, 2024).

The Chief Justice of Nigeria has highlighted the urgent need for reforms, including the adoption of digital case management systems, virtual courtrooms, and alternative dispute resolution mechanisms, to enhance efficiency and restore public trust. (Modern Ghana,2024). Addressing these challenges—alongside strengthening anti-corruption frameworks and insulating judicial processes from political influence—is vital for transforming formal guarantees of independence into practical realities, thereby reinforcing Nigeria's democratic consolidation in the Fourth Republic. (Okpata, & Offiah, 2022)

### III. CONCLUSION

The study on judicial independence and its impact on democratic consolidation in Nigeria's Fourth Republic conclude that while constitutional guarantees for judicial independence exist such as provisions for financial autonomy, security of tenure, and separation of powers the practical reality often falls short due to persistent executive interference, inadequate enforcement of constitutional safeguards, and socio-cultural pressures on judges. These challenges undermine the judiciary's ability to act impartially, resulting in public distrust and perceptions of bias, especially when judicial decisions appear influenced by the financial, political, or social status of litigants. Despite these obstacles, the independence of the judiciary remains fundamental to democratic consolidation, as it ensures due process, upholds the rule of law, and protects against political and social tyranny. The effectiveness of judicial independence in influencing democratic governance is closely tied to the genuine implementation of constitutional principles and the commitment of state actors to respect and protect judicial autonomy. Strengthening judicial independence by removing executive influence over appointments and removals, improving judicial welfare, and addressing socio-cultural vulnerabilities is essential for consolidating democracy in Nigeria, as a truly independent judiciary is the bedrock of a sustainable democratic order.

### IV. RECOMMENDATIONS

1. Ensure Financial Autonomy of the Judiciary: Judicial independence requires that the judiciary controls its budget without interference from the executive or legislature.

2. Strengthen Appointment Processes through the National Judicial Council (NJC): The power to appoint judicial officers should be vested fully in the NJC, removing executive influence.
3. Protect Judicial Officers' Remuneration Constitutionally: Salaries and benefits of judicial officers should be constitutionally protected from reduction or arbitrary adjustment to safeguard their independence and prevent external pressures.
4. Promote and Respect the Separation of Powers Doctrine: This separation enhances the judiciary's ability to function independently and contributes to sustainable democracy.
5. Strengthen Enforcement and Compliance Mechanisms: This includes enhancing the judiciary's capacity to enforce rulings effectively and ensuring government agencies respect court orders
6. Improve Institutional Infrastructure and Transparency: Upgrading judicial infrastructure, such as adopting mechanical recording systems and ensuring transparency in judicial processes, will enhance efficiency and public confidence in the judiciary, which is vital for democratic consolidation.

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