

Executive Patronage and Judicial Autonomy:

A Decade of Gifts from Nigerian
Governors to the Bench

2015 – 2025



and 8 other Executives



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Introduction

From the earliest days of civilization, the institution we now recognise as the judiciary emerged out of a necessity, foremost of which is the need for an impartial arbiter to uphold justice, resolve disputes, and preserve social order. Over centuries, this necessity has evolved into a sacred duty which encompasses the interpretation and application of the law, the protection of rights and liberties, as well as the provision of a refuge for those seeking redress against wrongs, whether committed by individuals or by the State itself.


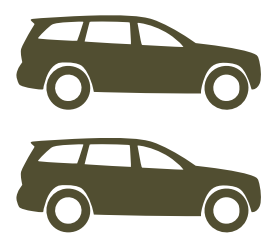


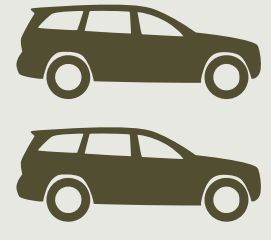


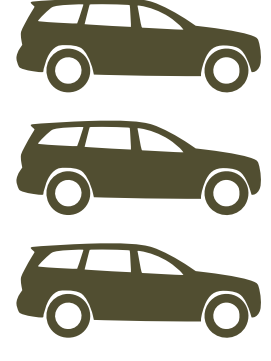

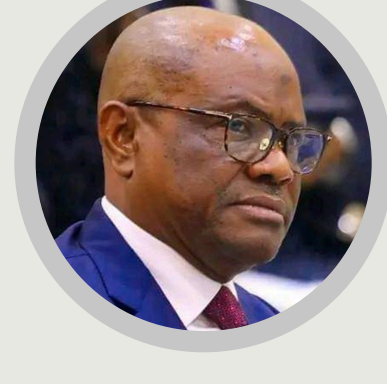



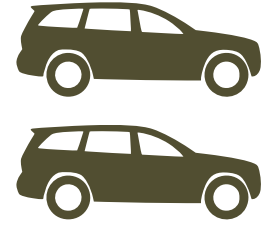





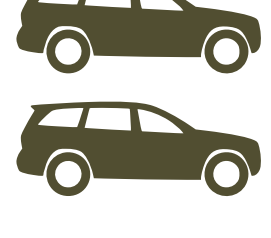

These responsibilities are no different in Nigeria. The Nigerian judiciary is constitutionally entrenched as an independent arm of government, widely revered as the last hope of the common man, an institution where the powerless may stand on equal footing with the powerful, and where the law, not influence, determines the outcome.

Yet, in the past decade, a growing practice has cast a long shadow over this independence, manifesting in the provision of financial and material incentives such as cars and houses by members of the executive, particularly state governors. While such acts are often publicly framed as gestures of goodwill or as measures to ameliorate the inadequate welfare conditions of judicial officers in their respective states, they are conversely perceived by a significant section of the public as calculated instruments of influence, capable of eroding judicial neutrality and compromising the very foundation of the separation of powers.

This report undertakes an objective examination of this practice in the past decade, setting out the legal provisions it may contravene, weighing the arguments both in favour of and against such executive incentives, and providing a comparative analysis of similar practices in England and the United States, two jurisdictions frequently cited in Nigerian jurisprudence. In doing so, it seeks not only to document the existence of the practice but also to interrogate its constitutional, ethical, and institutional implications with the rigour such a matter demands, taking into account the damning reports of bribery and corruption within the Nigerian judiciary as highlighted by the 2023 findings of the National Bureau of Statistics in collaboration with the United Nations Office on Drugs and Crime.

Ultimately, its purpose is to expose a practice widely regarded as corrosive to judicial independence, to illuminate the realities and risks it presents, and to propose practical, enforceable measures to curtail or prevent undue executive influence on a judiciary that ought to be not only independent and transparent, but also credible in the eyes of the public it serves.

Executive Incentives to the Judiciary 2015 – 2025

Year	Executive	Incentive	Beneficiaries
2016	 Gov. Nyesom Wike (Rivers)	 29 Ford Explorer SUVs	 Judges
2020	 Gov. Nasir El-Rufai (Kaduna)	 24 Toyota Fortuner SUVs	 High Court Judges
2020	 Gov. Nyesom Wike (Rivers)	 41 Range Rover Discovery SUVs + 29 SUVs	 High Court Judges + Customary Court Judges
2020	 Gov. Nyesom Wike (Rivers)	 24 Houses + N150 Million (cash)	 About 23 Judges
2020	 Gov. Hope Uzodimma (Imo)	 20 SUVs	 Judges
2020	 Gov. Seyi Makinde (Oyo)	 7 Land Cruiser Prado SUVs	 Judges
2020	 Gov. Adegboyega Oyetola (Osun)	 13 Toyota Jeep SUVs	 High Court Judges

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Year	Executive	Incentive	Beneficiaries
2020	 Gov. Babajide Sanwo-Olu (Lagos)	 51 SUVs + 8 Houses	 State High Court Judges
2021	 Gov. Aminu Tambuwal (Sokoto)	 20 Ford SUVs	 Judges
2022	 Gov. Dapo Abiodun (Ogun)	 13 SUVs	 Judges
2022	 Gov. Seyi Makinde (Oyo)	 7 Land Cruiser Prado SUVs	 7 Judges
2023	 Gov. Alex Otti (Abia)	 5 brand-new SUVs	 Judges
2023	 Gov. Charles Soludo (Anambra)	 11 brand new Ford Territory crossover SUVs	 Judges
2023	 Gov. Yahaya Bello (Kogi)	 9 cars	 Judges
2024	 Gov. Sheriff Oborevwori (Delta)	 20 Toyota Prado SUVs	 Judges

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Year	Executive	Incentive	Beneficiaries
2024	 <p>Gov. Hyacinth Alia (Benue)</p>	 <p>6 SUVs</p>	 <p>Judiciary</p>
2024	 <p>Gov. Hope Uzodimma (Imo)</p>	 <p>10 additional SUVs</p>	 <p>Judges</p>
2024	 <p>Gov. Usman Ododo (Kogi)</p>	 <p>14 brand new vehicles</p>	 <p>Newly appointed Judges</p>
2024	 <p>Gov. Usman Ododo (Kogi)</p>	 <p>11 brand new cars</p>	 <p>Judges</p>
2024	 <p>Gov. Usman Ododo (Kogi)</p>	 <p>4 additional SUVs</p>	 <p>Judges</p>
2025	 <p>Gov. Ahmadu Fintiri (Adamawa)</p>	 <p>23 brand-new SUVs</p>	 <p>Judicial Officers</p>
2025	 <p>Gov. Babagana Zulum (Borno)</p>	 <p>19 cars</p>	 <p>Judges and Khadis</p>
2026 (Planned)	 <p>FCT Minister Nyesom Wike</p>	 <p>40 Housing Units</p>	 <p>Judges of Court of Appeal, Federal High Court, FCT High Court</p>

Authority Responsible for Judicial Welfare, Including Cars and Houses in Nigeria

Under the 1999 Constitution (as amended), the welfare of judicial officers—including salaries, allowances, pensions, and ancillary provisions like official vehicles and residences—is primarily a fiscal responsibility of the federal and state governments, but channeled through mechanisms ensuring independence. Key provisions include:

- Section 81(3) and 121(3): These mandate that funds for the judiciary (federal and state levels) be a charge on the Consolidated Revenue Fund, with allocations first credited to a dedicated Judiciary Fund before disbursement. This covers operational welfare, such as cars for official duties and official quarters (houses), which are entitlements akin to salaries and not discretionary gifts. The National Assembly (for federal judges) and State Houses of Assembly (for state judges) appropriate these via annual budgets, preventing ad hoc executive interference.
- Section 84(1)–(4): Judicial officers' remuneration and pensions are constitutionally guaranteed and non-diminishable, extending to welfare perks like vehicles and housing to ensure judges are not "distracted by pecuniary considerations." These must be provided through institutionalized channels, not personal donations.
- Section 153(1)(i) and Third Schedule, Part I: The NJC holds oversight for the "administration of the judiciary," including recommending appointments, promotions, and welfare policies for superior court judges (e.g., High Courts, Court of Appeal and the Supreme Court). For inferior courts (magistrates), State Judicial Service Commissions (SJSCs) play a similar role under Section 197. The NJC can propose welfare guidelines, request budgetary allocations, and enforce ethical standards, but actual procurement (e.g., buying cars or building houses) falls to the executive arms via approved budgets, not unilateral gifts.

In essence, while executives implement welfare through budgets, the NJC/SJSCs are the authoritative bodies for defining and monitoring these entitlements, ensuring they align with judicial independence. Ad hoc gifts by governors usurp this framework, as they bypass legislative appropriation and NJC oversight, violating the spirit of Sections 4(8) and 5(2) on legislative supremacy and executive limits.

Laws Breached when the Executive Gifts the Judiciary

1. Code of Conduct for Judicial Officers:

- **Impartiality:** The Code explicitly mandates that judges must avoid any conduct that could impair their impartiality. By accepting gifts from governors, judges may be perceived as biased or beholden to these political figures, undermining their ability to make impartial decisions.
- **Integrity and Independence:** Judges are expected to maintain independence from external influences. Gifts from governors can create a perception of favoritism and dependency, calling into question their autonomy and integrity.

2. Corrupt Practices and Other Related Offences Act: The Act includes provisions against corruption and the acceptance of bribes by public officials. While the governors may portray their gifts as gestures of goodwill, the regularity and scale raise suspicions of inducements aiming to influence judicial decisions.

3. Constitution of the Federal Republic of Nigeria: The Constitution affirms the independence of the judiciary as a cornerstone of democracy. The practice of gifting by governors could be seen as an infringement on this principle, compromising the judiciary's role as a check on executive power.

How the NJC's Silence Has Encouraged the Practice

The National Judicial Council's passivity has created a permissive environment, effectively greenlighting executives to exploit welfare gaps as tools for subtle influence-peddling. By not challenging these gifts as violations of the separation of powers doctrine enshrined in Sections 4, 5, and 6 of the Constitution—which delineates distinct roles for the legislature, executive, and judiciary—the NJC signals that such interventions are tolerable, even beneficial.

This tacit endorsement emboldens governors, as seen in high-profile cases like Nyesom Wike's (as Rivers Governor and later FCT Minister) distribution of 41 SUVs and 24 houses in 2020, or Usman Ododo's multiple batches of vehicles in Kogi State in 2024, without any NJC pushback.

The result of this is a vicious cycle. Underfunded judiciaries, starved of budgeted resources, become

structurally dependent on executive largesse, fostering a culture where judges may hesitate to rule against donor-governors in politically charged matters, such as election petitions. Publicly, this normalizes the optics of handover ceremonies, where judges receive vehicles amid fanfare, reinforcing narratives of executive benevolence while masking potential quid pro quo arrangements. SERAP has argued that this dynamic contradicts constitutional checks and balances, leading to a judiciary perceived as "filth and intrigues," as lamented in Justice Musa Dattijo Muhammad's 2023 valedictory speech.

Ultimately, the NJC's silence incentivizes replication across states, turning welfare into a patronage weapon that deepens corruption and public cynicism toward justice delivery.

Effects of Executive Gifting on Public Confidence

- 1. Erosion of Trust:** Continued gifting creates an environment of skepticism regarding the motives behind judicial decisions. If the public perceives judges as susceptible to influence from political figures, confidence in the fairness of judicial outcomes diminishes.
- 2. Perception of Corruption:** The consistent pattern of gifting can reinforce negative stereotypes about corruption within the judiciary. This perception can deter citizens from seeking legal recourse, fearing that the system is biased or compromised.
- 3. Reduced Accountability:** Gifting undermines the essential accountability of the judiciary. When judges appear to be in debt to governors, it can hinder honest assessment and criticism of judicial conduct, depriving the judiciary of necessary checks.
- 4. Impact on Judicial Independence:** The judiciary's role as an independent arbiter of the law is jeopardized. When judges accept gifts from those who have political power, it blurs the lines between the judiciary and the executive, potentially leading to a compromise of judicial decisions.

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Arguments in Favour of Executive Incentives to the Judiciary

1. Proponents of governors gifting cars, houses, and other incentives to judicial officers argue that such gestures enhance judicial welfare and efficiency, addressing gaps in federal funding for state judiciaries. For instance, in Rivers State, Governor Nyesom Wike justified providing houses and cash to judges as a means to ensure "befitting accommodation beyond their service years for life," which he claimed would combat corruption and foster greater judicial independence by reducing financial vulnerabilities. This aligns with a broader "welfarism" trend where state executives step in to provide operational vehicles, as seen in Kaduna State where Governor Nasir El-Rufai gifted 24 SUVs and promised housing estates to motivate judges and improve justice delivery.

2. Another argument in favor is that these gifts promote harmonious inter-branch relations, enabling better collaboration among the executive, legislature, and judiciary. In Imo State, Governor Hope Uzodimma presented 20 SUVs to judges explicitly "as a way of motivating them to work better and to bring about a harmonious working relationship between the judiciary and other arms of government," emphasizing that "dividends of democracy can only be delivered when the Executive, Legislative, and Judicial arms work harmoniously." Similarly, in Adamawa State, Governor Ahmadu Umaru Fintiri handed over 23 SUVs in 2025 to "enhance the justice system" and ensure administration of justice with "no fear or favour," framing it as an "unwavering commitment to strengthening the justice system."

3. Supporters also contend that in Nigeria's federal structure, where state judiciaries rely on state budgets, executive gifts fill critical infrastructural voids, such as outdated vehicles or inadequate housing, thereby boosting judicial productivity. Lagos State Governor Babajide Sanwo-Olu's donation of 51 SUVs and 8 houses in 2020 was described as aimed "to constantly improve the welfare of judicial officers and support the state judiciary to ensure it carries out its functions," highlighting how such provisions can modernize judicial operations without waiting for cumbersome federal allocations. This perspective is echoed in reports noting that these incentives are often presented as entitlements under state welfarism, not mere favors, to sustain judicial morale in under-resourced environments.



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Arguments against Executive Incentives to the Judiciary

1. Critics, including the Nigerian Bar Association (NBA), argue that these gifts demean judicial officers and portray them as "beggars," undermining the dignity and autonomy of the judiciary. NBA President Afam Osigwe stated in August 2025 that public displays of such donations by governors are "annoying" and "demeaning," as they subject judicial needs to executive control rather than proper budgeting, eroding the perception of judges as impartial arbiters.

2. A core constitutional concern is that executive gifts violate the principle of separation of powers enshrined in Sections 4, 5, and 6 of the 1999 Nigerian Constitution, creating improper influences and compromising judicial independence. The Socio-Economic Rights and Accountability Project (SERAP) urged President Tinubu in November 2024 to stop such practices, arguing they are "antithetical to the constitutional principles of separation of powers, checks and balances and the rule of law," as they overstep the National Judicial Council's (NJC) authority and expose judges to executive leverage. Human rights lawyer Femi Falana echoed this in 2024, calling the gifts "wrong" and unconstitutional, as the executive has no business providing such items to the judiciary, which should fund its own needs through appropriated budgets.

3. Furthermore, these practices erode public trust in the judiciary by fostering perceptions of corruption and bias, as judges may feel indebted to the executive in politically sensitive cases. Legal experts and the NBA have highlighted that acceptance of such gifts "erodes judicial integrity" and invites "improper influences," contravening the Code of Conduct for Judicial Officers, which prohibits undue favors. Osigwe warned in 2025 that such emasculation reduces the judiciary to a "weeping boy," impoverishing its office and allowing executives to boast publicly about "giving cars to my judges," which further diminishes institutional respect.

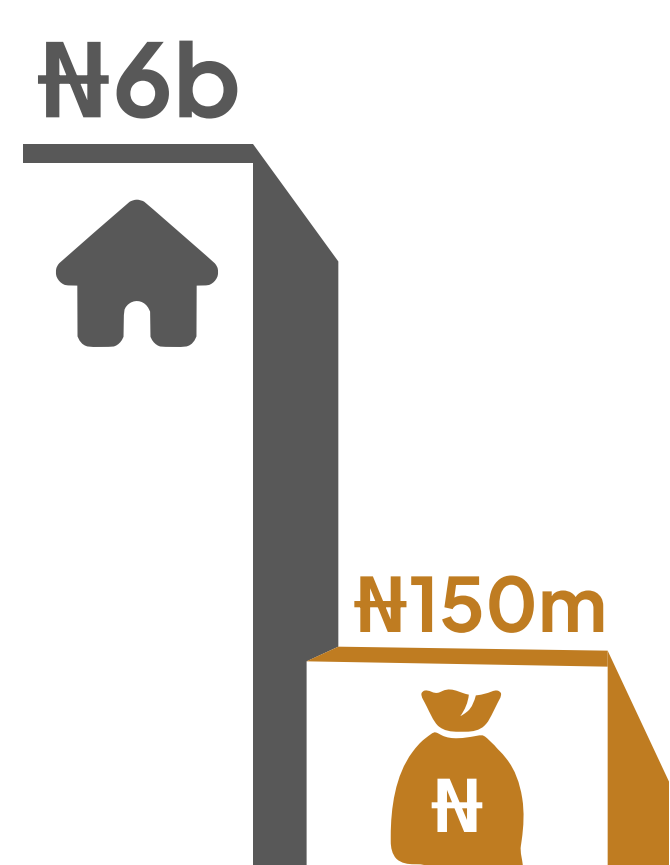


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Comparative Analysis of Executive Gifting Practices to Judicial Officers in Nigeria, England (UK), and the United States

This part compares the practice of executive officials—such as governors or equivalent—providing gifts like cars, houses, cash, or other incentives to judicial officers (judges and magistrates) across Nigeria, England (as part of the UK), and the United States. It relies exclusively on credible sources, including official judicial codes, government reports, legal analyses from reputable organizations (e.g., SERAP, NBA, USCourts.gov, Judiciary.uk), and peer-reviewed or fact-checked publications. No such direct gifting practice exists in England or the US based on available data; instead, judicial resources are provided through formalized, budgeted mechanisms to preserve independence. In Nigeria, the practice is recurrent but highly contentious. The comparison highlights differences in prevalence, legal frameworks, funding mechanisms, ethical guidelines, and implications for judicial independence.

1. Nigeria: Prevalent Practice with Significant Controversies: In Nigeria, state governors frequently gift vehicles, housing, and cash to state judges and magistrates under the guise of "welfarism," ostensibly to address underfunding and improve judicial efficiency. This has occurred in at least eight states since 2020, involving over 237 SUVs and multiple housing projects, as documented in fact-checks and news reports. For example, in 2020, Rivers State Governor Nyesom Wike allocated approximately N6 billion for 24 houses and N150 million cash per judge to 23 judicial officers, citing the need for "befitting accommodation beyond their service years for life" to combat corruption and enhance independence. Similar gifts include 51 SUVs and 8 houses in Lagos State (2020) by Governor Babajide Sanwo-Olu to "improve the welfare of judicial officers," and 23 SUVs in Adamawa State (2025) by Governor Ahmadu Umaru Fintiri to "enhance the justice system."



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Legally, Nigeria's 1999 Constitution (Sections 4, 5, and 6) mandates separation of powers, with the National Judicial Council (NJC) overseeing judicial welfare. However, state judiciaries are funded via state budgets controlled by governors, creating dependence. As noted above, critics, including SERAP, have argued that these gifts usurp NJC authority and violate constitutional principles, urging President Tinubu in 2024 to halt them as "antithetical to checks and balances." The NBA President, Afam Osigwe, described the practice as "demeaning," portraying judges as "beggars" and eroding public trust by implying executive leverage in cases. Femi Falana also weighed in, calling it "wrong" and unconstitutional, as needs should be budgeted, not gifted. Reports confirm these are not entitlements but discretionary acts, often timed near elections or amid litigation involving governors. The implications include perceived bias, with SERAP noting risks of "improper influences" in politically sensitive rulings. Despite defenses as motivational (e.g., Imo State's Governor Hope Uzodimma in 2020 for "harmonious" inter-branch relations), the practice persists due to chronic underfunding, with judicial budgets often delayed or manipulated.

2. England (UK): Absence of Practice; Emphasis on Institutional Funding and Ethical Restraints: In England and Wales (the primary jurisdiction for "England" in this context), there is no documented practice of the executive (e.g., ministers or the Lord Chancellor) gifting personal items like cars, houses, or cash to judges. Judicial resources are provided through centralized, transparent budgeting under the Ministry of Justice (MoJ), ensuring operational independence as per the Constitutional Reform Act 2005, which separated judicial administration from the executive. The Lord Chief Justice oversees judicial welfare, training, and resource allocation, including salaries, pensions, and official transport (e.g., pooled court vehicles or allowances, not personal gifts). Funding for the judiciary is allocated via parliamentary votes, with 2025 announcements increasing judicial sitting days to 110,000 through budgeted expansions, not ad hoc incentives.

The Guide to Judicial Conduct (2023) strictly prohibits judges from accepting gifts or hospitality that could "appear related to their judicial office and could be construed as an attempt to attract judicial goodwill or favor." While modest tokens (e.g., for speeches) are permissible if unrelated to influence, judicial office holders must not "exploit the status and prestige of their office to obtain personal favors or benefits." No provisions exist for executive-provided housing or vehicles as gifts; judges receive standard civil service terms, with security-related transport for senior roles handled institutionally. The guide emphasizes immunity from "all sources of power or influence, including media and commercial interests," and relations with the executive are governed by specific guidance to avoid perceptions of obligation.



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Parliamentary inquiries (e.g., 2022 House of Commons report) have criticized executive attacks on judicial independence but found no evidence of gifting; instead, they highlight safeguards like the 2005 Act to prevent executive overreach. Implications are positive for independence: this model maintains public confidence, with no reported scandals akin to Nigeria's. Reports from the European Network of Councils for the Judiciary (ENCJ) affirm that UK funding management avoids direct executive control over individual judges.

3. United States: Prohibited by Ethics Codes; Budgeted Resources with Strict Gift Bans: In the US, neither federal executives nor state governors engage in gifting cars, houses, or cash to judges, as this would violate federal and state ethics rules designed to uphold Article III's lifetime tenure and salary protections for federal judges, ensuring independence from political influence. Judicial funding is appropriated by Congress for federal courts (via the Judiciary Act and annual budgets) and by state legislatures for state courts, not governors directly. Resources like official vehicles or housing allowances (e.g., for relocated judges) are provided through institutional budgets or reimbursements, not personal gifts. For instance, federal judges may access pooled government vehicles or per diems, but these are standardized and disclosed.

The Code of Conduct for United States Judges (Canon 1) mandates upholding "the integrity and independence of the judiciary," with Canon 2 requiring avoidance of "impropriety and the appearance of impropriety." Canon 4D(4) explicitly prohibits acceptance of gifts beyond Judicial Conference regulations, which ban gratuities over \$50 from sources that could influence (including government officials). Family members cannot solicit gifts either. State codes mirror this; for example, the Model Code of Judicial Conduct (adopted variably by states) prohibits "gratuities" that might impair impartiality. Recent 2024 legislation (e.g., Raskin-Ocasio-Cortez bill) seeks to extend a \$50 gift ban to Supreme Court justices amid private gift scandals (e.g., Justice Clarence Thomas), but no executive gifting is reported. A 2024 Supreme Court ruling struck down a federal anti-bribery law for state officials but did not endorse judicial gifts; ethics focus remains on disclosure and disqualification (Canon 3C).

Governors have no role in providing such resources as attempts would trigger recusal or discipline via judicial conduct commissions. State reports confirm all 50 states have similar codes and discipline procedures, with no gifting precedents.



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Practical Measures to Prevent Executive Influence over the Judiciary in Nigeria

Based on recommendations from credible sources such as the Socio-Economic Rights and Accountability Project (SERAP), the Nigerian Bar Association (NBA), and legal experts like Femi Falana, Nigeria can implement the following practical measures to address the practice of governors and other executives gifting cars, houses, cash, or similar incentives to judicial officers. These measures focus on enhancing judicial financial autonomy, enforcing ethical standards, and institutionalizing transparent funding mechanisms, drawing from ongoing reforms and best practices to safeguard separation of powers under the 1999 Constitution.

1. Enact Legislation for Full Judicial Financial Autonomy Nationwide: Replicate the Enugu State model of judicial financial autonomy across all 36 states and the Federal Capital Territory, where the judiciary receives direct funding from the consolidated revenue fund without executive interference. This would empower the National Judicial Council (NJC) to manage salaries, welfare, pensions, and operational resources independently, eliminating the need for ad hoc gifts by redirecting budgetary provisions through the NJC. The NBA has urged this replication in its 2025 communiqués, emphasizing that it would end the "unlawful practice" of executive largesse and protect judges from undue influence.

2. Incorporate Judicial Financial Autonomy Provisions in Annual Budgets: Require explicit inclusion of full financial autonomy for the judiciary in the 2026 and subsequent federal and state budgets, as advocated by human rights lawyer Femi Falana in late 2024. This includes allocating at least 7–10% of state budgets to the judiciary (as recommended by SERAP) for infrastructure, vehicles, housing allowances, and pensions, disbursed directly by the NJC or Accountant General under NJC oversight. Falana stressed that such budgeted provisions would insulate judges from executive "influence" by making resources a statutory entitlement rather than a favor, with non-compliance triggering judicial review or sanctions by the NJC.

3. Amend the Constitution and Judicial Codes to Explicitly Prohibit Executive Gifts: Pursue constitutional amendments under Section 4(2) to insert clauses in the Third Schedule (NJC functions) that ban executives from providing personal or material incentives to judicial officers, with violations

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constituting misconduct punishable by impeachment for governors or NJC sanctions for judges. SERAP's 2024 open letter to President Tinubu called for this, arguing it would uphold Sections 84(4) and 158(1) on NJC autonomy and prevent "usurping" of powers. Complement this with stricter enforcement of the Code of Conduct for Judicial Officers (2016), including mandatory disclosure of any attempted gifts and automatic recusal in cases involving the donor executive, as suggested by the NBA to restore judicial dignity and public trust.

4. Issue Presidential Directives and Establish Oversight Mechanisms: Direct the Attorney-General of the Federation (AGF) and state Attorneys-General to issue binding guidelines prohibiting gifting, with SERAP recommending that President Tinubu invoke Section 174 of the Constitution to investigate and penalize violations, such as through the Independent Corrupt Practices Commission (ICPC). Establish a joint NJC-NBA monitoring committee to audit state judicial budgets annually and report non-compliance to the National Assembly, ensuring transparency via public dashboards on judicial funding. This aligns with SERAP's call for "substantial improvement in judiciary funding through existing mechanisms" to obviate the need for gifts, while NBA proposals in 2025 emphasize governance reforms for accountability.

5. Enhance Capacity Building and Public Sensitization: Launch NBA-led training programs for judges and executives on ethical boundaries and separation of powers, integrated into the National Judicial Institute's curriculum, to deter gifting as "demeaning" (per NBA President Afam Osigwe). Pair this with public awareness campaigns via the National Orientation Agency, highlighting risks to judicial independence, as echoed in SERAP's 2024 advocacy. Additionally, incentivize states achieving full autonomy with federal matching grants for judicial infrastructure, monitored by the Federal Ministry of Justice, to encourage compliance without punitive overreach.

Implementing these measures would require collaborative action from the executive, legislature, and NJC, potentially starting with a 2025 National Judicial Summit to draft a roadmap. Success in Enugu State demonstrates feasibility, and broader adoption could mirror financial autonomy gains for local governments post-2024 Supreme Court ruling, ultimately bolstering Nigeria's rule of law.

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