

Strengthening the Judiciary

towards Protection of the Civic Space.

A Root Cause Analysis on Judicial Interference
and Strategies for strengthening Judicial
Independence.

Prepared by:

REJA
INITIATIVE

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Restorative Justice for Africa

www.rejafrika.org

Email: info@rejafrika.org

Phone: 0816 171 5324

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Acknowledgment

We extend our profound gratitude to every person whose dedication, expertise, and commitment made the production of this report possible. This work builds upon and further consolidates the findings of the **Security Playbook on Digital Authoritarianism in Nigeria**, which examines the ways in which security narratives are deployed and, in some cases, misused to shrink civic space in Nigeria.

As members of the coalition of Civil Society Organisations operating under the umbrella of the **Action Group on Free Civic Space (AGFCS)**, we remain steadfast in our collective commitment to resisting the contraction of civic space in all its forms and under any guise. This report represents a continuation of that shared struggle and a reaffirmation of our resolve to push back against policies and practices that undermine fundamental freedoms.

We are deeply grateful to **Spaces for Change**, led by **Ms. Victoria Ibezim-Ohaeri**, for the opportunity to participate in this important project and for their exemplary leadership throughout its implementation. We also sincerely thank the **Fund for Global Human Rights** for their support, which was instrumental in making this project possible.

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To everyone who contributed time, knowledge, and resources to this work, we say thank you. This report is a collective achievement and a testament to the power of collaboration in advancing justice, accountability, and the protection of civic space in Nigeria.

Who We Are

Restorative Justice for Africa Initiative (REJA) is a Nigerian social-impact organisation working tirelessly to dismantle systemic barriers to justice for incarcerated people and communities at risk by advancing restorative justice, access to legal support, and the reintegration of justice-involved persons.

REJA promotes alternatives to punitive approaches by centring accountability, healing, and community participation. Its work spans pro-bono legal aid for indigent detainees, restorative justice mediation, correctional and community-based rehabilitation programmes, research and policy advocacy, and post-release reintegration support.

REJA collaborates with correctional institutions, law enforcement agencies, civil society groups, and community stakeholders to reduce unnecessary incarceration, strengthen legal protections for vulnerable populations, and improve social outcomes for returning citizens.

Through evidence-based interventions and partnerships, REJA seeks to build a justice ecosystem that prioritises dignity, fairness, and sustainable community safety across Nigeria and the wider African region.

Executive Summary

Over the years, Nigeria has witnessed intensified government scrutiny and crackdowns on dissenting voices¹. Organised protests have increasingly been met with overwhelming state resistance, often marked by a disregard for fundamental human rights. Citizens who demonstrate courage in speaking truth to power have faced bullying, intimidation, and silencing by state actors^{2,3}. Disturbingly, it seems that the judiciary has at times been instrumentalised to enforce and legitimise these intimidations through the use of public order and security-related offences⁴.

The judiciary is constitutionally positioned to serve as a critical bulwark against attempts to restrict the freedoms guaranteed under the 1999 Constitution of the Federal Republic of Nigeria (as amended). However, the effectiveness of this role has become increasingly questionable. Courts have, in several instances, refused bail, extended remand periods, and inadvertently imposed punitive consequences on activists and civic actors, thereby weakening judicial protection of civic freedoms⁵.

Under previous interventions implemented through the Action Group on Free Civic Space's Security Playbook Project, efforts were made to strengthen judicial capacity by equipping magistrates in two states with tools to identify human rights violations and address issues relating to freedom of expression and association. While these interventions improved awareness, monitoring and evaluation exercises revealed persistent challenges with full and consistent implementation. Recent protest-related cases, including those arising from the #EndBadGovernance protests, further exposed the declining ability of the judiciary to effectively push back against civic rights abuses by the Executive arm of government.

Recognising the judiciary as a central stakeholder in safeguarding the civic space, this research places judicial officers at the heart of the inquiry. Their perspectives are critical to identifying the systemic constraints they face and to developing practical, context-responsive solutions. This report contributes to the growing body of work on civic space protection by offering insights into how stakeholders can better support the judiciary in upholding democratic norms and resisting the continued erosion of civic freedoms. The recommendations emerging from this study are grounded in the lived experiences of judicial officers and provide actionable pathways for strengthening judicial independence and protecting the civic space.

In the course of this research, judicial officers were interviewed and engaged on specific aspects of their professional experiences in adjudicating civic space-related matters, particularly as they relate to the protection of fundamental human rights, freedom of expression, and freedom of association.

The findings in this research reveal that civic space cases, particularly protest-related matters, are infrequent but politically sensitive and exert disproportionate pressure on judicial officers. Judicial interference is largely informal, subtle, and procedural, rather than direct, shaping case handling without overtly dictating outcomes. Less experienced judicial officers are especially vulnerable to these pressures, while more experienced officers are better able to recognise and navigate them. The absence of formal judicial guidance on civic space adjudication places excessive discretion and risk on individual officers. Overall, civic space litigation in Nigeria reflects a justice framework that prioritises control over rights protection, undermining public confidence and access to justice.

Finally, the report recommends judiciary-led institutional and policy reforms, including the issuance of formal practice directions on protest-related and civic-space cases, the establishment of internal procedural safeguards, and strengthened protection mechanisms for judicial officers facing informal pressure. It calls for targeted capacity-building through specialised training on protest adjudication, human rights-based reasoning, and managing informal interference. Structural reforms such as standardised bail and remand practices, improved case management for civic-space matters, and clearer boundaries between courts and security agencies are also proposed. Finally, the report emphasises the constructive role of civil society in supporting judicial independence through research-based engagement, strategic litigation support, and public education.

Background

In recent years, Nigeria's civic space has come under increasing strain, marked by intensified state scrutiny, suppression of dissent, and the growing use of criminal law to regulate protest and public expression⁶. Peaceful demonstrations and civic actions have frequently been met with arrests, prolonged detentions, and charges framed around public order, security, terrorism, or cyber-related offences⁷. These developments have raised serious concerns about the protection of constitutionally guaranteed rights to freedom of expression, association, and assembly⁸.

Within this context, the judiciary occupies a pivotal position as the constitutionally mandated safeguard against executive overreach and the erosion of fundamental rights. Ideally, courts should function as an independent arbiter checking abuse of power, ensuring due process, and upholding the rule of law. However, evidence from recent civic-space-related cases suggests that this protective role has become increasingly difficult to sustain. Refusals of bail, extended remand periods, and cautious adjudication in protest-related matters have, in some instances, resulted in the unintended punishment of activists and civic actors, contributing to the shrinking of civic space⁹.

Judicial officers often operate in environments characterised by heightened political sensitivity, security presence, and public scrutiny. Civic space cases, though episodic, carry disproportionate symbolic and political weight, exposing judicial officers to subtle forms of interference that rarely take the form of direct instructions but instead manifest through expectations, intermediaries, and procedural pressure. Compounding this challenge is the absence of clear, formal judicial guidance on handling protest-related cases, leaving officers to rely heavily on individual discretion, personal legal philosophy, or informal peer norms.

This report is situated within this complex landscape. It centers the voices and lived experiences of judicial officers to better understand how judicial independence is navigated in practice when civic space is at stake. By examining patterns of interference, adjudication practices, and institutional gaps, the report aims to contribute to a growing body of work focused on strengthening the judiciary's capacity to protect civic space.

1.0 Research Rationale & Context

The research responds to growing concerns about the contraction of the civic space in Nigeria and the increasing use of judicial processes to legitimize restrictions on dissent, protest, and civic engagement. While the judiciary remains constitutionally positioned as the primary safeguard against executive overreach and human rights violations, persistent interference from State actors has raised questions about its operational independence, resilience, and credibility.

By centering judicial officers who have directly handled civic space-related cases, particularly the #EndBadGovernance protest cases, the study grounds its analysis in lived institutional experience rather than external perception. This approach strengthens the evidentiary value of the findings and positions on the judiciary not only as an institution under pressure but also as a critical stakeholder in reform.





2.0 Objectives

The overall goal of the Study is to strengthen the capacity and independence of the Nigerian judiciary in adjudicating cases affecting fundamental rights and civic space by identifying systemic constraints faced by judicial officers and exploring practical strategies for enhancing judicial resilience and effectiveness.

The Objectives of the Study include:

1. Document judicial officers' experiences with pressures or constraints encountered in adjudicating cases that affect the civic space and human rights.

2. Understand how this interference has affected judicial officers in playing their roles as key stakeholders in protecting the civic space.

3. Explore the types of institutional and external support judicial officers identify as useful in strengthening their independence.

4. Generate a set of actionable recommendations, informed by judicial perspectives, for improving safeguards around judicial independence in Nigeria

Key Research Questions:

1. What kind of challenges or pressures, if any, have judicial officers encountered while handling cases with civic space implications, with special focus on the #EndBadGovernance protest cases?

2. How have these challenges influenced judicial officers' decision-making environment or the efficiency of case handling?

3. To what extent do judicial officers feel that existing institutional safeguards support their independence in politically sensitive cases?

4. What additional measures or reforms do judicial officers think would strengthen the judiciary's ability to uphold fundamental human rights?

5. In what ways can civil society organisations and other stakeholders constructively support the judiciary to carry out its constitutional roles more effectively?



3.0 Methodology

A mixed-methods design combining anonymous surveys and key informant interviews to capture both measurable patterns and in-depth institutional narratives.

3.1 Data Collection Methods

Method	Description
Anonymous Survey	Structured questionnaire administered to magistrates to capture patterns of interference, frequency, sources, and perceived impacts.
Key Informant Interviews	Semi-structured interviews with judicial officers to explore lived experiences, contextual factors, and reform perspectives.

3.2 Sampling and Coverage

Category	Details
Geographic Scope	Federal Capital Territory
Target Population	Judicial officers involved in civic space and human rights-related cases

Sampling Approach	Purposive Sampling
Actual Sample Achieved	16 magistrate survey responses and 12 key informant interviews
Participant Profile	Magistrates previously trained in human rights-sensitive adjudication and judicial officers who presided over #EndBadGovernance protest cases

3.3 Ethical Protocols

Ethical Area	Application
Informed Consent	Voluntary participation with clear explanation of purpose, risks, and use of data.
Anonymity	No attribution of responses to individuals, courts, or locations
Confidentiality	De-identification of transcripts and secure data storage
Risk Mitigation	Avoidance of questions that could expose participants to institutional retaliation
Data Protection	Restricted access to raw data and encrypted digital storage





4.0 Challenges Encountered in the Course of the Research

4.1 Limited Access to a Wider Sample of Judicial Officers

A key objective of this research was to engage a broad and diverse sample of judicial officers across different courts. Formal requests were submitted to several courts seeking approval to conduct interviews and administer research tools. However, many of these requests received no response, and both formal and informal follow-up efforts yielded no results. This unforeseen constraint significantly reduced the pool of respondents and limited the range of judicial perspectives that could have further enriched the study. Despite this limitation, the research team maximised the available opportunities and made effective use of the responses obtained.

4.2 Institutional Sensitivity and Reluctance to Engage

Judicial interference and civic space restrictions are sensitive subjects. In some instances, potential respondents expressed hesitation due to concerns about institutional scrutiny or possible professional repercussions. This reluctance affected the depth of engagement in certain interviews and constrained open discourse on some critical issues.

4.3 Time Constraints

Judicial schedules, personal constraints and competing institutional demands made it difficult to secure interview appointments with all the proposed respondents within the research timeline.

4.4 Broader Civic Space Environment

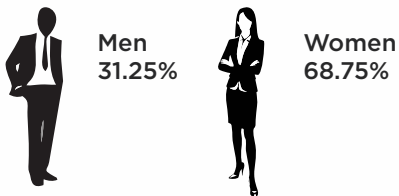
The shrinking civic space in Nigeria itself posed an overarching challenge. Heightened surveillance, fear of reprisal, and increasing pressure on civil society actors created an environment in which both researchers and participants had to navigate the process with caution, potentially influencing the level of candour and participation.

Despite these challenges, the research provides valuable insights into judicial interference in civic space cases. The findings reflect a careful and deliberate effort to work within existing constraints while maintaining methodological integrity and analytical rigor.

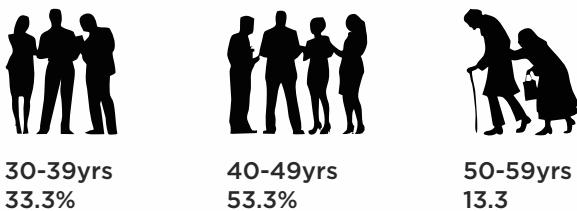
5.0 Data Presentation and Analysis

5.1 Demographics and Years Of Service

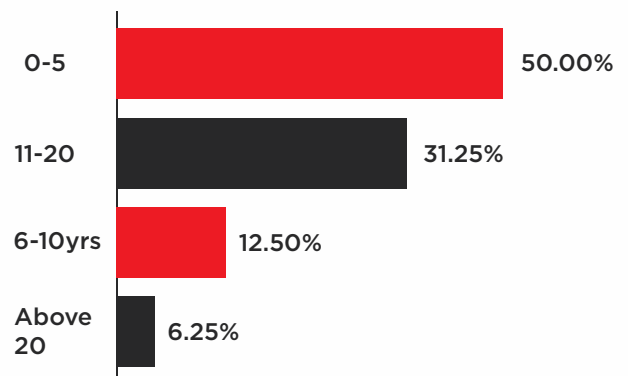
Gender Distribution of Respondents



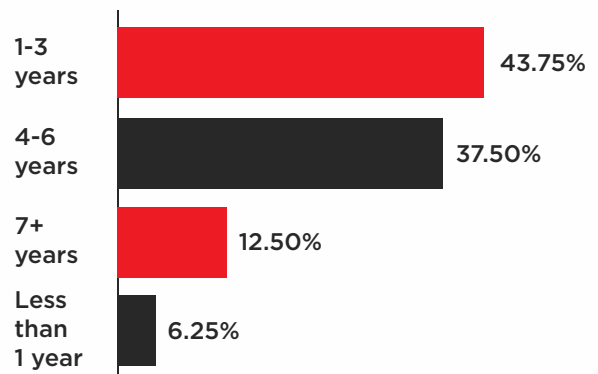
Age Distribution of Respondents



Years of Service on the Bench



Tenure (time) in Current Position



Strengthening The Judiciary:

A Root Cause Analysis on Judicial Interference and Strategies for Strengthening Judicial Independence as a Means of Combating the Shrinking Civic Space.

The distribution of years of service on the bench and tenure in current position situates this dataset firmly within the lived realities of frontline judicial practice, which is central to the goal of this study.

With half of the respondents having between 0-5 years of service on the bench and over 93 percent having served 20 years or less, the data reflects judicial officers who are still actively navigating career progression, postings, evaluations, and institutional hierarchies. This cohort is not insulated by seniority, retirement proximity, or long-established institutional power. As such, they are more likely to experience, recognise, and feel the weight of both formal and informal pressures when handling politically sensitive or civic space-related cases.

Similarly, the tenure data shows that more than 80 percent of respondents have spent six years or less in their current positions, with nearly half within the 1-3-year range. This level of positional fluidity matters for the study's core concern. Judicial officers in relatively recent postings often operate under heightened scrutiny from court administrators, security agencies, and political actors within their jurisdictions. They are also more exposed to the practical consequences of displeasing powerful interests, including transfers, stalled career advancement, or reputational targeting.

In the context of a study examining judicial interference and independence, this profile strengthens the analytical weight of the findings. It means the evidence comes from magistrates who are institutionally vulnerable rather than institutionally entrenched, and who adjudicate civic space cases under real-time professional risk. **Their assessments of interference, pressure, and independence are therefore not abstract or retrospective, but grounded in current operational conditions.**

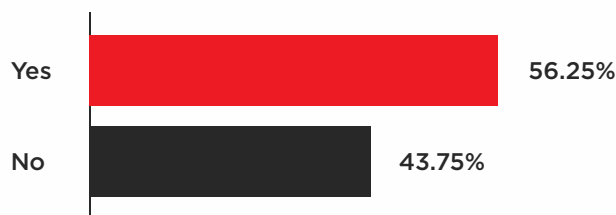
This is directly aligned with the study's goal of strengthening judicial capacity and independence in cases affecting fundamental rights and civic space. Understanding interference through the perspectives of magistrates who are still actively subject to institutional leverage allows the research to identify systemic pressures that operate subtly and informally, rather than only overt or high-profile forms of interference.

It also ensures that the recommendations proffered speak to the realities faced by the segment of the judiciary most likely to encounter protest-related cases and most in need of practical safeguards.

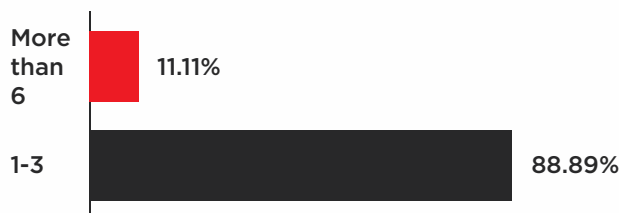
Taken together, the service length and tenure patterns reinforce the relevance, credibility, and policy value of the dataset for diagnosing root causes of judicial vulnerability in civic space adjudication and for designing reforms that respond to present, not hypothetical, institutional conditions.

Frequency Of Civic Space Cases

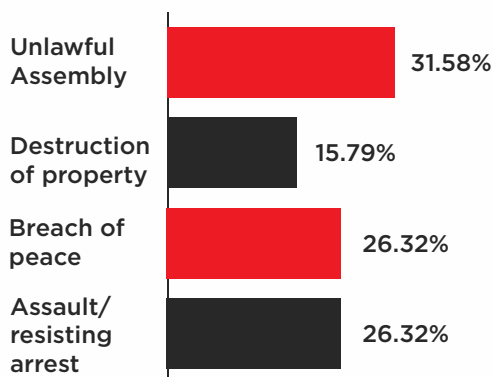
Have you presided over civic rights/freedom cases?
I.e #EndBadGovernance Protests



If yes, approximately how many civic cases?



What types of cases were commonly charged in these cases?



5.2 Key Findings

5.2.1 Frequency of Civic Space Cases

The data on magistrates' exposure to civic rights and protest-related cases provides several analytically important insights that speak directly to the study's goal of interrogating how judicial processes intersect with a shrinking civic space.

First, the fact that 56.25 percent of respondents have presided over civic rights or #EndBadGovernance protest-related cases shows that adjudication of civic space cases is well situated within the Magistrate court. More than half of the sampled judicial officers have direct, first-hand experience handling cases arising from civic dissent. This confirms that the judiciary, particularly at the magistrate court level, is a frontline institution in the regulation and contestation of civic space rather than a distant arbiter engaged only at appellate stages.

Second, the limited volume of cases per magistrate, with nearly 89 percent of those exposed handling only one to three civic space cases, suggests that these matters are episodic rather than routine. While not a dominant share of the magistrates' caseload, such cases carry disproportionate political and symbolic weight. This pattern indicates that even a small number of protest-related cases can have outsized implications for judicial officers, particularly when these cases attract heightened public, security, or political attention. **The data therefore supports the proposition that pressure and interference need not be frequent to be impactful; even infrequent exposure can shape judicial behaviour, risk perception, and institutional caution.**

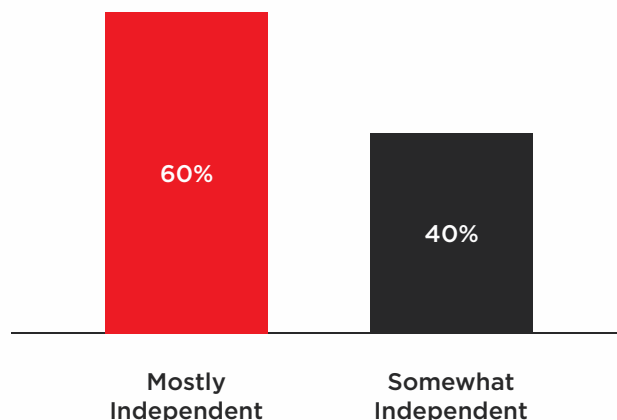
Thirdly, the offence profile reveals a consistent pattern of criminalisation of civic dissent through public order and security-related charges. **The predominance of unlawful assembly, breach of peace, and assault or resisting arrest points to the routine framing of protest activity as a threat to public order rather than as an exercise of constitutionally protected rights.** The presence of destruction of property charges, though less frequent, further reinforces this securitised framing.

Analytically, this offence pattern is significant for two reasons. Firstly, it places magistrates in a structurally constrained adjudicatory position where the legal framing of cases already leans toward restriction rather than protection of civic freedoms. Secondly, public order offences often grant wide discretion to law enforcement and prosecutors, increasing the likelihood of weak evidentiary thresholds and heightening the space for external pressure on judicial outcomes. Magistrates adjudicating such cases therefore operate within a legal environment that is both politically sensitive and procedurally vulnerable.

Taken together, these findings suggest that civic space adjudication in Nigeria is characterised by low-frequency but high-pressure judicial engagement, occurring within a criminal justice framework that prioritises control over rights protection. For the study's objectives, this reinforces the need to focus not only on overt interference, but also on how the structure of protest-related prosecutions itself creates conditions that strain judicial independence. **It further underscores the importance of equipping judicial officers with clear guidance, human rights-sensitive interpretive frameworks, and institutional backing when handling even a small number of civic space cases, as these cases carry implications far beyond their numerical share of the docket.**

5.3 External Influence On Judicial Officers

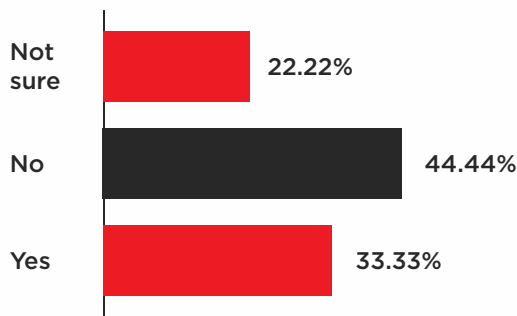
To what extent do you think judicial officers in Nigeria are able to maintain independence in politically sensitive cases?



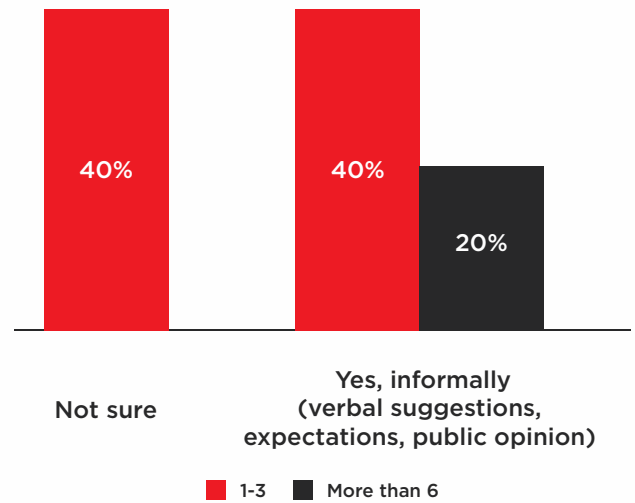
In your judicial career, have you encountered situations where external actors sought to influence judicial processes?



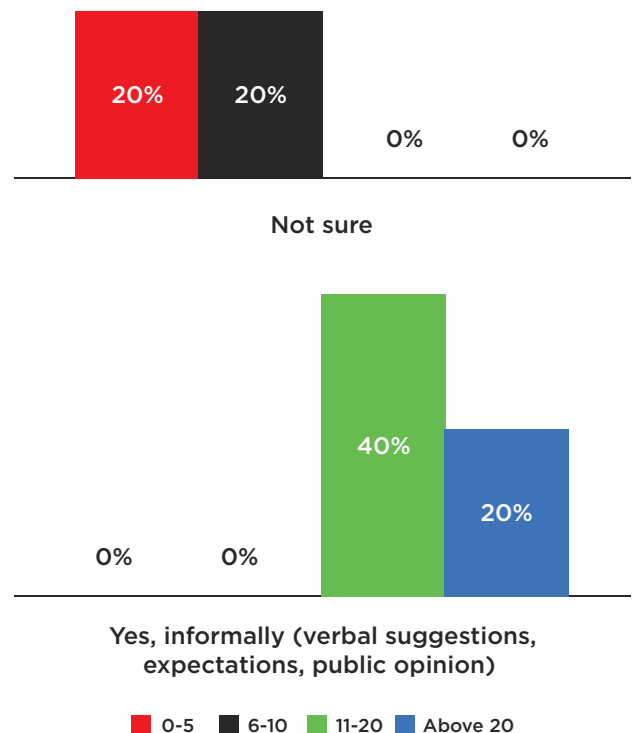
During cases related to civic rights or protest activities were there external factors that influenced how proceedings unfolded?



Relationship between pressure from external factors to influence how proceedings unfolded and exposure to civic and freedom cases



Relationship between pressure from external factors to influence how proceedings unfolded and years of service on the bench



5.3.1 Nature of Interference (Qualitative Coding of Descriptions)

Form of Interference	Evidence from responses
Informal pressure	Verbal suggestions, expectations, "understanding" before filing.
Third-party intimidation	Anonymous calls, threats, intermediaries
Security-linked pressure	Presence and posture of law enforcement actors
Psychological pressure	Threats, implied consequences rather than formal directives

5.3.2 Findings

The combined findings on perceived judicial independence and experiences of external interference reveal a structured tension between formal independence and informal vulnerability, which is central to the study’s analytical framing.

At the aggregate level, the perception that judicial officers are able to maintain independence in politically sensitive cases remains relatively strong, with 60 percent describing the judiciary as mostly independent and the remaining 40 percent as somewhat independent. Notably, none of the respondents describe the judiciary as unable to maintain independence. This suggests that judicial officers retain confidence in the normative and professional foundations of judicial independence. However, the absence of “fully independent” as a dominant response signals that this independence is experienced as qualified rather than absolute, particularly in politically charged contexts.

This perception becomes more complex when juxtaposed with lived experience. Exactly half of respondents report encountering attempts by external actors to influence judicial processes during their careers. The difference between those who have experienced and those who have not experienced interference is analytically important. **It indicates that interference is not universal, but neither is it exceptional. Instead, it operates as a situational risk, more likely to emerge in certain case types and contexts rather than as a constant feature of judicial work.**

Civic space and protest-related cases emerge as one such high-risk context. While 44.44 percent report no external influence during these cases, a significant 33.33 percent report informal external influence, and an additional 22.22 percent express uncertainty, suggesting ambiguity or subtlety in how pressure manifests. The prominence of informal influence aligns with the qualitative evidence, which shows **interference rarely takes the form of direct orders. Instead, it occurs through verbal expectations, intermediaries, anonymous communications, and the strategic presence of security agencies.** This mode of interference allows external actors to exert pressure while preserving plausible deniability and avoiding overt institutional breaches.

The relationship between interference and exposure to civic space cases further refines this insight. Among magistrates who handled only one to three protest-related cases, informal influence and uncertainty are equally prominent. This suggests that even limited exposure to civic space cases is sufficient to introduce ambiguity and pressure into proceedings. For those who handled more than six cases, informal influence becomes more pronounced, indicating that repeated engagement with civic space adjudication increases the likelihood of experiencing pressure. This pattern supports the argument that cumulative exposure heightens vulnerability, even when individual cases appear isolated.

Years of service on the bench introduce another critical dimension. Magistrates with 11–20 years of service report the highest incidence of informal influence, followed by those with more than 20 years. In contrast, those with 0–10 years of service are more likely to report uncertainty rather than explicit influence. This suggests two parallel dynamics. More experienced judicial officers may be better able to recognise and name informal interference due to longer institutional exposure.

Less experienced officers, by contrast, may encounter pressure but struggle to categorise it clearly, especially when it operates through subtle or indirect channels.

Taken together, these findings point to a judicial environment in which independence is maintained in principle but negotiated in practice. Magistrates continue to deliver decisions within the bounds of the law, yet they do so under varying degrees of informal pressure that complicate proceedings and increase professional risk. The data challenges simplistic narratives that frame judicial interference solely as overt political control. Instead, it highlights a system where influence is exercised through informal, psychological, and contextual mechanisms that are harder to detect, regulate, and resist.

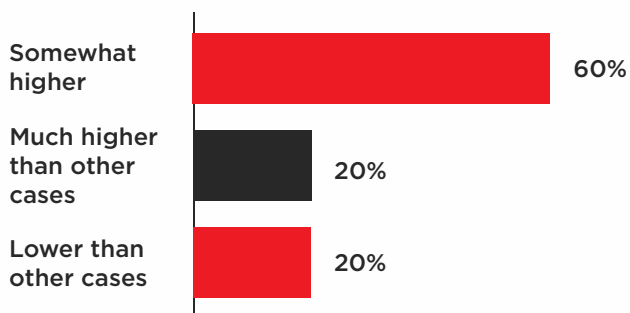
For the study’s applied objectives, this underscores the importance of reforms that go beyond formal guarantees of independence. **Strengthening judicial resilience in civic space cases requires clearer institutional guidance, protective protocols against informal interference, and targeted capacity building that equips judicial officers to recognise**

document, and manage subtle forms of pressure.

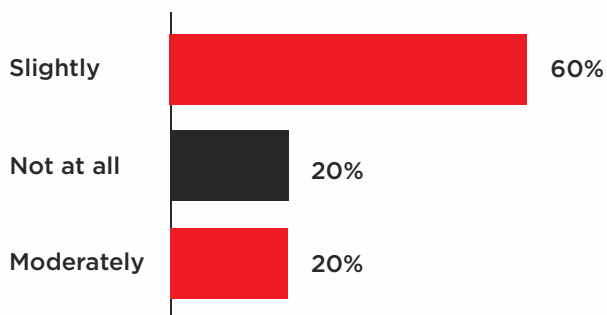
It also suggests a role for civil society in supporting transparency and public accountability in ways that reduce the effectiveness of informal influence without compromising judicial neutrality.

5.4 External Attention On Civic Space Cases

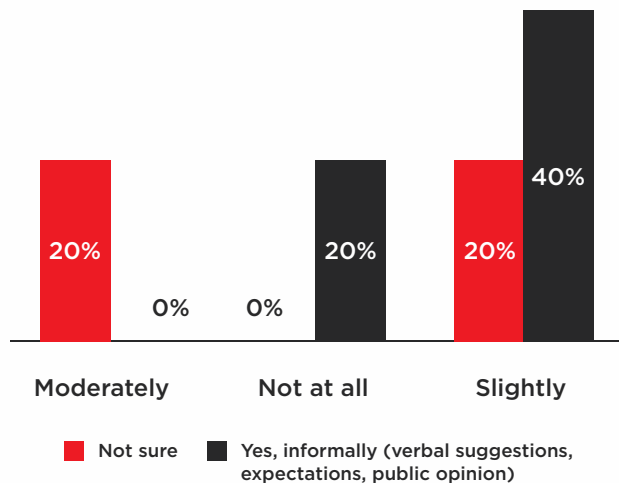
Compared to other types of cases, how would you describe civic-space or politically sensitive cases in terms of external attention or pressures?



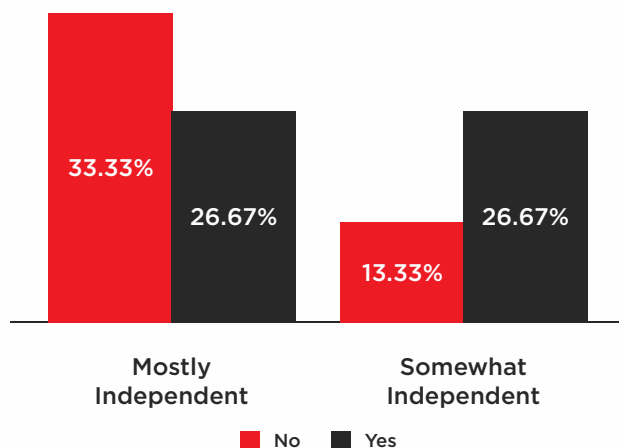
In your experience, to what extent do external pressures complicate or influence the process of delivering judgments in civic-space or political cases?



Relationship between the impact of external pressure to influence delivery of judgments in civic-space or political cases and those that encountered the pressure.



Direct correlation between the perception of judicial independence and interference experienced



5.4.1 Findings

The data on external attention, pressure intensity, and perceived judicial independence offers a granular view of how civic space cases differ from routine judicial work, and how pressure operates in ways that complicate processes rather than override outcomes.

The data on external attention, pressure intensity, and perceived judicial independence offers a granular view of how civic space cases differ from routine judicial work, and how pressure operates in ways that complicate processes rather than override outcomes.

First, the comparative assessment of civic-space and politically sensitive cases show a clear skew toward heightened scrutiny. Eighty percent of respondents describe civic-space cases as attracting higher external attention, with 60 percent characterising it as somewhat higher and 20 percent as much higher than other cases. Only a small minority perceive these cases as attracting lower attention. **This confirms that civic space litigation functions as a visibility trigger within the judicial system. Even when legal issues are straightforward, the political and symbolic weight of such cases draws the attention of external actors, increasing the likelihood of pressure points around the proceedings.**

Importantly, the data also clarifies the nature of this pressure. While external attention is elevated, its impact on the delivery of judgments is largely incremental rather than coercive. A majority of respondents, 60%, report that pressure complicates proceedings only slightly, while 20% describe a moderate effect and another 20% report no effect at all. This suggests that interference rarely manifests as direct attempts to dictate outcomes, instead, it operates by introducing friction into the Judicial process, such as increased scrutiny, procedural caution, time delays, and heightened personal stress for judicial officers.

The cross-tabulation between pressure impact and direct experience of informal interference reinforces this interpretation. Among magistrates who reported informal external influence, the dominant effect is a slight complication of judgment delivery rather than moderate or severe influence.

However, among those who have experienced interference, perceptions are evenly split between “mostly independent” and “somewhat independent.” This shift does not signal a collapse of confidence in judicial independence, but it does reflect an erosion of certainty. Exposure to interference appears to recalibrate how judicial officers understand independence, moving it from a stable institutional guarantee to a conditional state that must be actively asserted and defended.

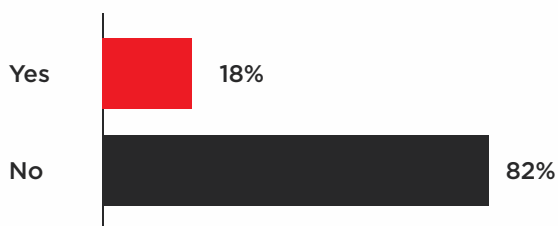
Taken together, these findings point to a judicial environment where civic-space cases create **high-attention, low-coercion pressure dynamics**. External actors rarely force outcomes, but they succeed in shaping the procedural environment within which decisions are made. This has practical consequences for the justice system. **Slight but persistent complications can accumulate into slower case handling, increased defensive adjudication, and cautious judicial reasoning, all of which indirectly affect access to justice and public confidence.**

For the study's applied objectives, the data underscores that strengthening judicial independence in civic-space cases requires interventions that address process-level vulnerabilities, not just outcome-level threats. **Clear institutional guidance, protection against informal scrutiny, and structured support mechanisms would reduce the procedural friction that currently accompanies civic space adjudication.** Civil society engagement can also play a constructive role by promoting transparency and public understanding of judicial processes, thereby countering the chilling effects of heightened external attention without compromising judicial autonomy.

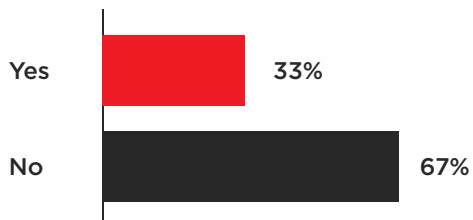


5.5 Institutional Guidance In Handling Civic Space Cases

Did the judiciary provide any formal guidance or circulars specific to handling protest-related cases?



In your experience, to what extent do external pressures complicate or influence the process of delivering judgments in civic-space or political cases?



5.5.2 Findings

The data on institutional guidance, experienced pressure, and training needs exposes a structural gap between the demands placed on judicial officers in civic-space cases and the support systems available to them, which is central to the study’s purpose.

The finding that 82 percent of respondents report the absence of formal judicial guidance or circulars on protest-related cases is particularly significant. **Civic-space and protest cases are, by their nature, politically sensitive, publicly visible, and prone to external scrutiny. Yet, judicial officers handling these cases are largely operating without clear, standardised institutional direction.**

This places the burden of interpretation, risk management, and procedural judgement almost entirely on individual judicial officers. In practical terms, it means that judicial officers must rely on personal legal philosophy, informal peer norms, or ad hoc reasoning when navigating cases that carry heightened political consequences. This absence of guidance represents a systemic vulnerability rather than an individual failing.

5.5.1 Training Needs Identified

Priority Area	Frequency
Protest-related adjudication	High
Human rights training	High
Restorative justice	Emerging
Public sensitization	Noted

At the same time, 33 percent of respondents acknowledge that external pressures do influence or complicate the process of delivering judgments, while a majority report no direct influence. This pattern should not be read as contradictory. Instead, it suggests that pressure does not operate uniformly across cases or officers. Where it does occur, it does so in an institutional environment that offers limited formal protection or procedural clarity. The lack of guidance therefore magnifies the effect of pressure when it arises. Even if only a third of magistrates experience such pressure directly, the system as a whole remains exposed because there are no clear institutional buffers to absorb or neutralise it.

The training needs articulated by respondents further reinforce this interpretation. The high demand for protest-related adjudication training and human rights training indicates that magistrates recognise a skills and confidence gap in handling civic-space cases. **These are not requests for abstract legal education, but for practical tools to navigate cases where criminal law, constitutional rights, public order considerations, and political context intersect.** The emergence of interest in restorative justice points to a desire for alternative approaches that de-escalate conflict and reduce the adversarial framing of protest-related matters. Meanwhile, the mention of public sensitisation reflects an awareness that judicial independence is influenced not only by internal processes, but also by public understanding of the judiciary's role in civic space disputes.

Analytically, these findings suggest that judicial vulnerability in civic-space cases is less about overt institutional collapse and more about institutional silence. Judicial officers are expected to manage high-attention cases with limited formal guidance, uneven protection from pressure, and insufficient specialised training. **Where pressure exists, it exploits these gaps. Where it does not, judicial officers still operate with caution because the system offers little assurance of support if challenges arise.**

From an applied perspective, the data clearly supports reforms focused on institutional strengthening rather than individual resilience alone. **Developing clear judicial guidelines on protest-related adjudication, expanding human rights-based and context-specific training, and integrating alternative justice approaches would reduce uncertainty and procedural friction.** These measures would not only help judicial officers withstand external pressure when it occurs, but also prevent civic-space cases from becoming points of institutional strain in the first place.



6.0 Summary Of Key Findings

6.1 Heightened Vulnerability of Judicial Officers in Recent Postings

The findings reveal that Judicial officers in relatively recent postings (between one and three years) operate under heightened scrutiny from multiple quarters, including court administrators, security agencies, and political actors within their jurisdictions. This heightened oversight increases their exposure to the practical consequences of displeasing powerful interests, such as transfers, stalled career progression, or reputational targeting. As a result, newer judicial officers are often more vulnerable to external pressure, even when such pressure is subtle or indirect.

6.2 Magistrate Courts play an important role in Civic Space cases

Cases arising from civic space activities, especially protests, generally pass through the Magistrate Courts especially at the remand stage. Although these cases are episodic rather than routine, they carry significant political and symbolic weight. When such matters attract public or security attention, they create high-pressure adjudicatory environments with serious implications for the judicial officers involved.

6.3 Criminalisation of Dissent Through Public Order Charges

The findings show a consistent pattern of framing dissent as a public order offence or security threat. Charges such as unlawful assembly, breach of peace, assault, and resisting arrest are frequently deployed in protest-related cases. This approach prioritises state control over the recognition of constitutionally protected rights, reinforcing a criminal justice framework that marginalises civic freedoms.

6.4 Low-Frequency but High-Pressure Judicial Engagements

Civic space adjudication in Nigeria is characterised by low-frequency but high-pressure judicial engagement. While these cases do not arise regularly, their political sensitivity and symbolic significance amplify risk and scrutiny, placing judicial officers under disproportionate pressure relative to the volume of such cases.

6.5 Informal Modes of Judicial Interference

The research highlights a structured tension between formal judicial independence and informal vulnerability. External interference rarely takes the form of direct orders or explicit instructions. Instead it operates through verbal expectations, intermediaries, anonymous communications, and the strategic presence of security agencies, leading to ambiguity, uncertainty, or subtlety within judicial proceedings.

6.6 Experience as a Buffer Against Informal Pressure

Judicial experience significantly shapes how interference is perceived and managed. More experienced judicial officers are better positioned to recognise and name informal interference due to prolonged institutional exposure. In contrast, less experienced officers may encounter pressure but struggle to clearly identify or categorise it, particularly when it is subtle or indirect.

6.7 Civic Space Litigation as a Visibility Trigger

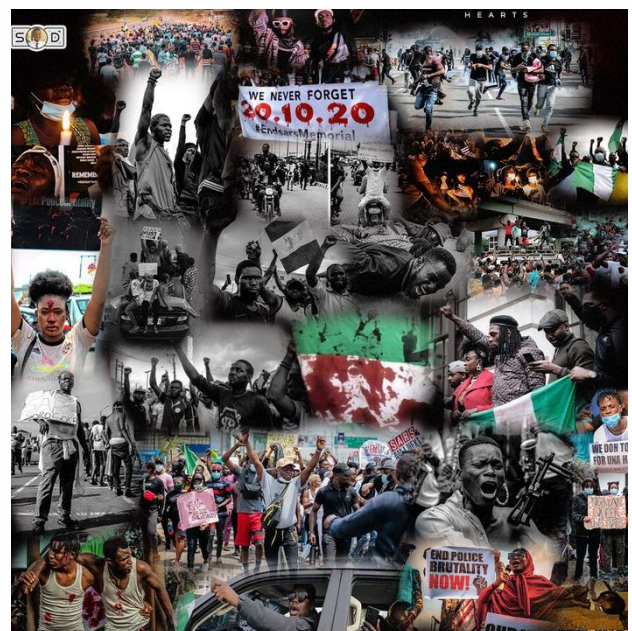
Civic space cases function as visibility triggers within the judicial system. Even where the legal issues are straightforward, the political and symbolic significance of these matters draws the attention of external actors. This increased visibility heightens the likelihood of procedural pressure points during adjudication.

6.8 Procedural Influence Without Direct Outcome Control

While external actors rarely force judicial outcomes, they often succeed in shaping the procedural environment in which decisions are made. Persistent procedural complications such as delays, increased caution, and defensive adjudication accumulate over time, indirectly affecting access to justice and undermining public confidence in the judiciary.

6.9 Absence of Formal Judicial Guidance on Civic Space Cases

The majority of judicial officers lack formal guidance or practice directions on handling civic space or protest-related cases. This absence places the burden of interpretation, risk management, and procedural judgment on individual judicial officers, compelling reliance on personal legal philosophy, informal peer norms, or ad hoc reasoning when navigating politically sensitive cases.



7.0 Recommendations

7.1 Institutional and Policy Reforms (Judiciary-Led)

Reform Area	Recommendation	Evidence Link
Formal Judicial Guidance	Develop and issue clear practice directions or circulars on the handling of protest-related and civic-space cases, covering bail, remand, timelines, and rights-sensitive interpretation of public order offences.	82 percent of magistrates report absence of formal guidance, despite high exposure to civic space cases.
Procedural Safeguards	Establish standardised internal protocols for managing politically sensitive cases, including documentation of attempted interference and internal escalation channels.	Interference is largely informal, subtle, and undocumented, increasing individual vulnerability.
Judicial Protection Mechanisms	Strengthen protections against retaliatory transfers, intimidation, or career sanctions linked to civic-space adjudication.	Magistrates with shorter tenure and mid-career status report heightened exposure to pressure.
Transparency within Judiciary	Introduce internal reporting mechanisms that allow judicial officers to confidentially flag interference without fear of reprisal.	Psychological and third-party intimidation thrives in silence and ambiguity.

7.2 Capacity Building and Professional Development

Priority Area	Recommendation	Evidence Link
Protest-Related Adjudication	Design specialised training modules focused on adjudicating protest and civic space cases within constitutional and international human rights standards.	High demand for protest-related adjudication training across respondents.
Human Rights Integration	Embed human rights-based judicial reasoning into routine magistrate training, not as ad hoc workshops but as structured continuing education.	Criminalisation patterns show reliance on public order offences over human rights frameworks.
Managing Informal Pressure	Introduce training on recognising, documenting, and responding to informal interference , including ethical and procedural responses.	Informal pressure is the dominant mode of interference identified.
Alternative Justice Models	Ensuring legal representation at the point of arraignment and pilot training on restorative justice approaches for low-level protest-related offences.	Emerging interest reflects desire to reduce adversarial escalation in civic cases.

7.3 Structural Reforms to Reduce Pressure Points

Reform Area	Recommendation	Evidence Link
Case Management	Introduce specialised handling tracks or designated magistrates for civic-space cases to reduce ad hoc exposure.	Civic-space cases are low frequency but high pressure.
Bail and Remand Practices	Standardise bail and remand practices in protest cases to limit discretionary abuse and external leverage.	Pressure often clusters around pre-trial decisions.
Security Agent Engagement	Clarify boundaries between courts and security agencies during protest-related proceedings.	Security-linked pressure emerges through presence and posture rather than directives.

7.4 Role of Civil Society and External Stakeholders

Stake holder	Reform Pathway	Evidence Link
Civil Society Organisations	Shift from adversarial court monitoring to constructive judicial support , including legal research briefs and public education on judicial roles.	Judicial officers recognise CSOs as potential allies when engagement is non-confrontational
Public Communication	Support public sensitisation campaigns that explain judicial processes in civic space cases to reduce misdirected public pressure.	Public perception is seen as mixed and often negatively affected by civic cases.
Strategic Litigation Support	Encourage CSOs to provide amicus-style legal analysis rather than public pressure campaigns during active cases.	Heightened attention increases procedural stress even without outcome interference.

A black and white photograph of the Supreme Court of Nigeria building. The building is a large, modern structure with a prominent entrance featuring a wide set of stairs. Above the entrance, a large sign reads "SUPREME COURT OF NIGERIA" in bold, capital letters. A circular emblem is visible above the sign. The image is used as a background for the section header.

SUPREME COURT OF NIGERIA

8.0 Conclusion

This report has examined the realities of adjudicating civic space and protest-related cases within Nigeria's criminal justice system, with particular attention to the experiences of judicial officers operating under heightened scrutiny and informal pressure. While the judiciary is constitutionally positioned as a safeguard against human rights violations and executive overreach, the findings reveal a persistent gap between formal judicial independence and the everyday vulnerabilities that shape decision-making in practice. Civic space cases, though episodic, carry significant political and symbolic weight, exposing judicial officers (especially those in recent postings) to subtle forms of interference, uncertainty, and risk.

The research further highlights a systemic pattern in which dissent is routinely criminalised through public order and security-related offences, with pre-trial processes such as bail, remand, and case management emerging as key pressure points. The absence of formal judicial guidance on handling protest-related matters places a heavy burden on individual judicial officers to navigate constitutional rights, procedural discretion, and external expectations without institutional support. Over time, this environment contributes to cautious adjudication, procedural delays, and diminished public confidence in the justice system.

At the same time, the findings underscore opportunities for reform. Judicial officers recognise the need for clearer practice directions, stronger internal safeguards, and targeted capacity-building to support rights-sensitive adjudication. Structural reforms that reduce exposure to pressure, alongside constructive engagement from civil society and external stakeholders, offer practical pathways to strengthening judicial resilience and independence.

Ultimately, protecting Nigeria's civic space requires intentional collaboration with the judiciary, grounded in respect for its role and an understanding of the pressures it faces. By centering judicial voices and experiences, this report contributes to a growing body of work aimed at safeguarding fundamental freedoms, reinforcing democratic processes, and ensuring that the courts remain a credible and effective bulwark against the shrinking of civic space under any guise.



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