RE-ASSESSING THE NIGERIAN LEGAL PROFESSION IN THE 21ST CENTURY: A CRY FOR URGENT REFORMS

By

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Abstract

The legal profession is understood, in most jurisdictions, as the profession or body of professionals and judges that practice law and also of the paralegals that support the professionals. The 21st Century has drive revolutionary changes in the practice of law through electronic technology, artificial intelligence (AI) and modernisation thereby redefining legal skills, educational qualifications and ethical standards in legal practice. Relying on the doctrinal method, the paper traced the history of the legal profession in Nigeria and recognised the pivotal role of the Nigeria Bar Association in shaping practice and entrenching justice. The paper found that modern practice of law continued to be plagued by ethical issues. The paper noted that electronic technology, though impactful, could be misleading when used as a research tool, especially where generative AI is involved. Recognising the foreign origin of legal practice, the paper further noted the need to overhaul the legal profession to reflect modern realities and to give it a domestic appeal. The paper concluded by making recommendation on how to resolve the challenges in the practice of the profession in respect of respect for professional conduct and observance of orderliness through respect for seniority.

Keywords: *Legal Profession, Nigerian Bar Association, Electronic Technology, Legal Ethics.*

1. Introduction

The legal profession is understood, in most jurisdictions, as the profession or body of professionals[1] and judges[2], that practice law and also of the paralegals[3] that support the professionals. It is the educational qualifications, skills and the ethical standards, both written and unwritten, of the professionals[4] that hold and distinguish the legal profession from other groups and associations of persons. In Nigeria, s. 24 of the Legal Practitioners Act[5] defines the legal practitioner as "a person entitled in accordance with the provisions of this Act to practice as a barrister or as a barrister and solicitor, either generally or for the purposes of any particular office or proceedings". To be so entitled, the person has to be called to Nigerian Bar under s. 4 of the Act and actually gets enrolled under s. 7 of the Act. That is when he becomes entitled "to practice as a

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[1] This means, in Nigeria, legal practitioners (Barristers and Solicitors) which in Nigeria are fused into one by way of definition. In some countries like the UK they are split into two, Barristers and Solicitors.

[2] Judges of all cadres like of the High Courts state and Federal, the National Industrial Court and of the appellate Courts such as the Court of Appeal and the Supreme Court. Judges used in this context also includes Magistrates, Customary Court judges, Shariah Court Khadis/judges and all classes of persons who administer justice in a judicial manner.

[3] This includes all support staff of the Ministries of Justice, the Courts of Law of all classes and cadres, all law firms, all schools where law is taught or administered in any form and indeed all places where lawyers do their work.

[4] In summary the educational qualifications consist of a law degree(s) required for legal practice in the country in question, a successful completion of Bar examination; and for ethics.

[5] Cap 207, LFN 2004

barrister and solicitor" with his name "on the roll" under s. 2(1) of the Act.[6]

Whilst a legal practitioner thus defined is a lawyer who has been granted license to practice the trade of law in any of the formations of practice,[7] it technically excludes persons who have obtained the training and qualifications as lawyers indeed in 'theory' but have not gone to the Nigeria Law School and called to the Nigerian Bar under the Act.[8] It is at the Law School that the training and qualification of BL are awarded. Thus not all lawyers are qualified to be called legal practitioners in Nigeria. However, all legal practitioners are first of all lawyers. The only exceptions are under s. 2(2) and (3) and s. 7(2) of the Act for persons who the CJN or the Federal Attorney-General, in consultation with the Bar Council, authorise to practice as a legal practitioner because he is entitled to practice in any country with similar legal system as Nigeria's etc. Now, however, it can hardly be imagined where any situation can arise where persons can be granted a licence to practice in Nigeria as such. By reason of advanced education of a greater percentage of the people, Nigeria seems to have outgrown that kind of licence. Thus, for the purposes of this discussion, for the Nigerian context, concentration shall be placed on legal practitioners though due remarks may be made as found necessary for the purposes of this discussion, especially for comparative purposes with jurisdictions like the USA, Canada and UK.

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[6] He becomes qualified to represent clients in court, provide legal advice and representation of clients and interests in the market place of life, draft documents and generally do draftsmanship as may be required and of legal documents etc. Normally the terms "barrister" and "solicitor" are often used interchangeably because every lawyer is trained and qualified to act as both.

[7] Those formations include private legal practice, the academics, practice in the industry (banks, oil companies etc.), practice in government (including Ministries of Justice, government departments etc.) etc.

[8] The requirement of a law degree, vocational training and enrollment seem to run through most jurisdictions such as Ghana South Africa, Sierra Leone, Egypt, Canada; USA; and UK.

Legal practitioners in all their classifications are subject to several bodies and associations that regulate their trade.[9] It is the Nigerian Law School that grants them the licence to practice their trade of law, which is then confirmed by their admission into the legal profession following their clearance by the Body of Benchers. The professional body to which they have to belong and practice is the Nigerian Bar Association (NBA), until recently.[10] For somebody to acquire the knowledge of the law, he has to pass through a University and get an acceptable law degree, classified as LL.B, the foundation certificate that enables him to attend the Nigerian Law School. At the Law School, he is awarded a BL certifying his successful acquisition of the vocational training and certificate for call to the Nigerian Bar. He is then admitted into the Nigerian Bar as a Barrister and Solicitor of the Supreme Court of Nigeria. Upon that qualification his name is forwarded to the Body of Benchers which then admits him to the Nigerian Bar.[11] When he gets called to the Bar, he becomes a members of the NBA, which has many functional arms and bodies to ensure that necessary oversight functions and activities are carried out time after time.[12]

A re-assessment of the legal profession in Nigeria in the 21st century will involve a consideration of the legal practitioner and the NBA as well as the challenges facing them both from benefiting the most

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[9] Interestingly, the rules and regulations that bind legal practitioners as members of the legal profession do not seem to concern in any way any person who holds even the highest academic degrees, like LL.M and Ph.D, but who has not gone to the Law School.

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[11] The clearance by the Body of Benchers seems to be only administrative such that if somebody meets all the requirements for passing through the Law School and passes, and the requirements for call to the Bar, the Body of Benchers is obliged to recommend that person for call to the Bar. That person cannot be held back by the Body for any reason.

[12] They include the Legal Practitioners Disciplinary Committee (LPDC), the Legal Practitioners Privileges Committee (LPPC) etc. While the University and the Law School train the would-be lawyer and make him fit for purpose, only the Law School qualifies for mention as part of the legal profession or its enabling institutions in Nigeria.

from the 21st century world or the world as it promises to be in the century. In discussing the NBA, the Nigerian Law School and the training of would-be legal practitioners, the several bodies that are on the way of the would-be legal practitioner to qualification will be considered. These bodies are regulated by statutes such as the Legal Practitioner's Act. The discussion will also include the Institute of Advanced Legal Studies etc. and the other part of the profession, the judiciary, as much as will be necessary for the fullness of this discussion. This discussion will also involve an examination of the giant strides which the legal profession has made in Nigeria since its birth as it were in 1866 or thereabout; which things has positioned the profession for the challenges and benefits of the 21st century; what things the profession must now do as well as things it must cease from doing, so as to prepare its members effectively for the 21st century. The idea is for each member (or as many of them as are actively willing) to be an effective part of this fast changing century as it unfolds with its many challenges and futuristic developments - Information Technology and the AI etc.

Really, the legal profession in Nigeria is a big one that a thorough examination, of all its component parts, involving the canvassing of arguments for and against each point or issue being considered, will take a long time and indeed a book to cover. Due to time and other constraints, we will narrow this discussion to the areas where urgent reforms are, in the view of this commentator, necessary. We may not in all cases consider the pros and the cons where the issues are obvious for our argument.

1.1 The NBA; Its History and Foremost Place in Africa

The NBA prides itself as the "foremost and oldest professional membership organisation" in the country. It says it is Africa's most influential network of legal practitioners, with well over 140,000 lawyers on its roll in 129 active branches across the 36 states and

the Federal Capital Territory of Nigeria".[13] Its aims are to advance the science of jurisprudence; improve the administration of justice; preserve the independence of the judiciary and to uphold the honor and integrity of the legal profession; to promote professional and social intercourse among the members of the African and the International Bars. It aims to promote and protect principles of the Rule of Law and respect for Fundamental Human Rights.

It started in or about 1866 with the the establishment of Courts, when lawyers trained in England came to Nigeria either as barristers at law or solicitors. The first indigenous lawyer, Christopher Sapara Williams was enrolled in 1888. Since then, lawyers had been led by such gentlemen as Christopher Sapara Williams who was Chairman between 1900 and 1915; Sir Kitoye Ajasa, 1915 – 1937; Eric Olawole Moore, 1937 – 1944; E. J. Alex Taylor 1944 – 1950; Sir Adeyemi Alakija, 1950 – 1952 and Alhaji Jubril Martins 1952 - June, 1959 who died in office.[14]

Thereafter, the leader changed to President from Chairman. Chief FRA Williams, Q.C. SAN was elected as President and he held office between 1960 and 1968. His co-contestant, Chief GCM Onyiuke Q.C. SAN became Vice President.[15]

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[13] This seems to be true except for Egypt that has about 450,000 to 600,000 trained lawyers. While the country, by a commentator's estimation, has about 200,000 to 250,000 trained lawyers, Ghana has 11,400 trained lawyers, South Africa has about 33**,929 practicing lawyers, Sierra Leone about** about 500 trained lawyers or more. See generally <https://www.lssa.org.za/about-us/about-the-attorneys-profession/statistics-for-the-attorneys-profession/#:~:text=the%20attorneys'%20profession-,About%20the%20attorneys'%20profes.> Last visited 27th November, 2025

[14] There is another strand of history bothered only with the formal formation of the Nigeria Bar Association in 1933 and notes Chief FRA Willimas as the first elected President in 1960. See <https://.nigerianbar.org.ng.> Last visited 27th November, 2025

[15] For this full history several websites can be contacted for the same contents, the commonest among which is NBA Warri https:nbawarri.com. Last visited 27th November, 2025

The Nigerian legal profession has fared well in comparison with its equivalents in some other jurisdictions. The fact should be taken into consideration that it has lived and operated with totalitarian military regimes for several years in which most of its existence was a strife to survive. It has also had to be struggling under the terrible effects of corruption, a cancer that destroys every institution that it affects. Corruption has really affected the profession in Nigeria. The profession has had to live under this terrible level of corruption just as part of the wider Nigerian society has had. Of course, the profession and its members have been contributors to the corruption problem to an extent; an extent that may be difficult to determine in the absence of a data. It must be pointed out that most of the corruption have come from the political leadership of the country; a leadership which has been deeply corrupted by the glorified and white washed ineptitude and deliberate infiltration by a collaborative civil service.

The effects of military rule and the deep set corruption notwithstanding, the legal profession has had the fortune of also being led from its different flanks (the Bench, the NBA and the academia) by such extremely noble men like the Hon Justices Adetokumbo Ademola, Taslim O. Elias, Darnley A Alexander, Atanda Fatai-Williams, George S. Sowemimo, Ayo G. Irikefe, Mohammed L. Uwais, Aloma M. Mukhar etc; Hon Justices Udo Udoma, Andrews Otutu Obaseki, Kayode Eso, Anthony Aniagolu, Buba Ardo, Augustine Nnamani, Chukwudifu Oputa, Niki Tobi, Olakunle Orojo etc; Profs Taslim Elias, Ben Nwabueze, SAN, Okonkwo, SAN; Chief G. I. M Onyiuke, Dr Nabo Graham-Douglas, Justice Dan Ibekwe; Michael Agbamuche, Bola Ajibola, Kanu Agabi etc, etc.[16] These men and others made front line marks of intellect, integrity, sagacity and acuity.

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[16] These are in addition to the persons who have led the NBA as outlined above in footnote 16 of this article. These mentioned men are in addition to other men and women of intellect, great honour and integrity who have led from the sides, the

Nigeria, having been a colony of Britain inherited, by imposition not by choice, the British legal system in practically every way. This included structure of the legal institutions and systems that run those institutions. The only exceptions are, even that in sufferance, the customary and islamic practices and traditions that were spared the onslaught of contrariness to natural justice, equity and good conscience.[17] Thus Nigeria has a legal profession that is made up of the professionals (the NBA as the individual members and as its corporate formations and arms) including the judiciary, and the paralegals patterned in a funny manner after the English.

1.2 The Implications of the 21st Century; the Imperative of the Electronic Revolution

1.2.1 Information Technology

One of the implications of practice of the law in the 21st century is that there is almost a complete and deep infiltration into every aspect of the use of the law by Information Technology.

Practice has gone through several phases and models. This generation[18] of lawyers has in their legal practice (in the private office, in the Courts etc.), gone through the manual typewriter, the electric typewriter, the different shapes and models of telephone, the fax machine, the photocopier, the printer etc. The advent of the computer in its several forms and shapes and of the internet completely revolutionalised the world and everything in it, including law and legal practice. This generation has gone through filing of Court processes typed by manual type writers, to the computer-printed hard copies, into e-filing of online paperless

midst or from the back of the professions who it is impossible to attempt to mention by name.

[17] The doctrine of contrary to natural justice, equity and good conscience was a good one where they were (or are) used against certain nefarious practices, like the killing of twins. Generally, however, the natural justice, equity and good conscience was that of the European.

[18] For our purposes here, 20 - 30 years is a generation.

documents. From physical meetings it has gone into Zoom meetings, WhatsApp meetings and video meetings. In these platforms, participants from anywhere in the world interact with one another simultaneously and real time meetings. Things have also gone into meetings where the Gen Z generation record meetings with their phones instead of laptops or other electronic gadgets or instead of writing on paper, etc. The benefits of all those and their effect in the lawyer's (and judge's) work can now be taken for granted. The world of both of the lawyer and that of his clients are better and more convenient with the use of those platforms. More will even be foisted on the lawyer and the judge in the coming years and ages.

Really, these platforms have aided legal practice in several ways; made for convenience and speed not only in the lawyer's work but also in his rest after work.

1.2.2 The Advent of the AI

Today, AI is not only helping in suggesting words and phrases for legal business proposals, outlines and brochures, it is actually undertaking the entire writing of those proposals, outlines and brochures themselves in languages that are tailor made. This includes retainership proposals and letters of introduction of other External Solicitors relationships. It is writing Writs of Summons, Originating Summons and Motions, Statements of Claim, of Defence, Written Address and even Court judgements. There are indeed wonderful things that AI can do. But there are serious negative consequences if AI's suggestions or findings are not checked or verified. In ***Mata v. Avianca, Inc*** one Steven A. Schwart together with his colleague Peter LoDuca, assisted the Plaintiff's primary counsel to prepare a response to the other side's Motion for dismissal of the case. Counsel on the other side notified the judge that several of the cases cited by those other lawyers could not be located. The judge then ordered Mr. Schwart to show cause why they

should not be sanctioned. They could not and the judge fined him and his firm, Levidow, Levidow & Oberman, $5,000 for filing in "bad faith" and "abandoned their responsibilities" by relying on AI without verification. The judex noted that there is nothing wrong in using AI but the lawyer has to verify and authenticate his finding. On November 4, 2025 in South Africa, some lawyers in ***Mavudla v. MEC, Department of Co-operative Government and Traditional Affairs KwaZulu-Natal & Ors*** placed reliance on case law generated by AI. Out of those nine cases only two existed and the other seven did not exist in fact. They did not check the cases generated by ChatGPT, a generative AI chatot developed by OpenAI. The Court regarded the conduct as "irresponsible and unprofessional" and referred the matter to the Legal Practice Council, the equivalent of our Legal Practitioners Disciplinary Committee.[19] AI can be very useful in drafting Court processes and in legal practice generally but the lawyer must check; he must remain the drafter and AI just a helping instrument.

AI can also be very useful in law making in the legislature as it can be in the Court room in organising and following up case management tools and their use. The automation of tasks, processes and data are upcoming areas of legal practice and expertise in Nigeria and lawyers who will take advantage will prosper in the practice.

1.3 Electronic Legal Research

One of the beauties of the computer has been the introduction of electronic ways of doing things. With the computer, the advent of IT generally and AI, legal research that would produce an accurate rendering of the law at a faster rate and in a more reliable manner has became possible. The era of manual research into the law, which only produced results depending on the accuracy, dept and indeed

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[19] For these two cases and otjhers see The Guardian https://www.theguardian.com; Reuters https://www.reuters.com and NBC News https://www.nbcnews.com. Last visited November 27, 2025

know-how of the individual researcher (and in every case at a low pace), has given way to a faster more accurate system that produces objective and dependable result.

It is now possible not only to sit in the comfort of one's library in a remote village in Enugu State and research the world in seconds with reliable results which can be used immediately. The fact that results can be produced in seconds also ensures that a wider range of subjects or dept of concern in the particular subject, can be reached and assessed in a short time.

Knowing that a serious legal practitioner often needs knowledge of the state of the law over a wide range of jurisdictions for comparative analysis etc., the fact that such an easier research of the law enables him to be a better lawyer or researcher in Nigeria, or anywhere else in the world, goes without saying. To get an edge over other lawyers in Nigeria, the lawyer aided by such a research ability will not only be faster but also be more competent and efficient. For the academic lawyer, there is no bounds now in research work and output. Really, the only bounds now is for the lawyer to know when he starts overworking himself.

Really, the electronic methods of research is far better and preferable. While manual research requires going through law reports, textbooks, statutes and digests to find relevant authorities, the electronic system simply need for the researcher to sit down in his sit and by the clicking of buttons he can reach anywhere in seconds and minutes. While the manual system takes time, is prone to mistakes and hardly affords the ability to cross-reference judicial authorities.

2. Banishment of the Wig and Gown

In the Nigerian legal profession, there is so much that do not agree with reality in the present times and seasons - in dressing, in language and mannerisms. The legal profession still looks very much like a borrowed profession not serving the Nigerian whom the

profession is supposed to serve in every respect. Lawyers still dress in attires of the medieval times of Great Britain, attires that are not suiting for the Nigerian environment and climate. The wig that judges and lawyers still wear is said to have been introduced by King Louis XIV who had or suspected that he was soon to have syphilis and started to wear a wig to cover his bald head. Nobles followed suit and began to wear the wig and the legal profession joined in wearing the wig.[20]

In the UK, wearing of the wig is still practiced as a result of extreme conservatism (out of reverence to tradition) and also because the weather somewhat permits it. In places like Nigeria, there is no economic reason or attraction. On the contrary, the reverence of tradition remains the only reason for the sustenance of the practice.[21] It is rather a mimicking of an ancient past that has no justification or reasoning in the Nigerian space. In some African countries a lot of sense has prevailed and the wig and even the gown have been done away with. South Africa, Burkina Faso etc are examples of such jurisdictions.[22] In such countries as Burkina Faso the legal profession has even devised an attire for judges in native fabric and design. It makes the judge look more African than the present one in Nigeria. The Nigerian legal practitioner should be wearing his suit without the inconvenience of a gown that only generates heat and more inconvenience.

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[20] See The University of Law *Why Do Barristers Wear Wigs; Why do Nigerian Lawyers Wear Wig and Black Gown?* LawPadi https:lawpadi.com. Last visited 19th November, 2025.

[21] The phrase was made popular by the late Fela Anikulapo Kuti through an album he released in the 1970s, *Shuffering and Shmiling*, an anecdote of the Nigerian economic and social situation since the 1970s.

[22] Lawyers and judges in some African countries like Ghana and Sierra Leone still wear the wig and gown but others like South Africa and Egypt have since discarded the wig or wig and gown.

Well, for the three side something can be said. The wearing of the gown seems to find some relevance and meaning in the Nigerian context. Firstly, the wearing of a gown like adornment confers some sort of prestige on the wearer in the African nay Nigerian context. An argument for that awe inspiring position seems to be for the form rather than the substance of the matter. The legal practitioner or judge simply needs to effectively do his job and nothing more.

Secondly, it appears that in these days of mini skirts and dresses, when an indecently dressed person of the women folk sits down at the Court's Bar, the gown covers her and everything about her from sight. There used to be a lawyer in one of the South-South states whose afro hair curled with a cream used to be a wonder to me. To our relief, the wig used to cover him in Court whenever he wore it. These two instances certainly do no look like a reason why the wearing of the wig or gown should be preserved. Each only shows how bad things have got.

2.1 Obscure Ancient Usages and Words; Long and Windy Sentences and Constructions

In language, usages formulated in the ancient past whose usages are no longer understood by even English Language specialists ought to be done away with in the 21st century. Such usages as "witnesseth", "chattels", "heretofor", "hereintofore", "whereupon", "indenture" "demurrer" are hardly understandable by anybody else other than a lawyer. A generation of proper English language users are growing up who may not know anything whatsoever as the meaning of those so-called English words and phrases. Even more disturbing in this age and time is the often resort to latin to borrow words and phrases that have no relevance again for our world - such as "sine die"[23], "sine qua non"[24], "assumpsit"[25], "non composmentis"[26], "volenti

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[23] "without a day"; adjourned indefinitely

[24] "without which not"; An essential condition

[25] An Action to recover damages for breach of contract.

[26] Not of sound mind or not having control of the mind;

non fit injuria"[27]. Wonders! Why shouldn't those words now adopt and retain their English meanings and principles flowing from them? Antiquity, unnecessary conservatism that does no one any good.

The lawyer's writings, documents and language are not meant for lawyers alone. The audience is much wider than just their colleagues. Otherwise, the profession and its practice would start to look like an occult thing made out by lawyers and for lawyers alone. There is no reason why a businessman would want a document and pay a lawyer for that document only for the lawyer to draft the document that only him and his colleagues can read and understand. Now, when a lawyer prepares a process, he attempts to communicate to the world not just to lawyers alone. So, when a Deed of Conveyance is done for a lawyer's client, the purpose of communication is defeated when that client cannot understand it because of the ancient language in which it is written. When a lay man has a Court process prepared for him by his lawyer, and he can hardly make out the contents and the purport of the document, the purpose of communication is defeated. The meaning and idea that he can appear for himself and conduct his own case is defeated if he cannot understand any document whether prepared by his lawyer of his opponent's lawyer. In the UK from where most of Nigeria's legal principles, approach and mannerisms were taken or copied, such usages in language have been abandoned for simple easy to understand constructions. Nigeria ought to follow suit.

2.2 The Single Two Year Term of Offices at the NBA; the Often Occurrence of Election Cycles

The peaceful and seamless transition from one regime to another, which the single two year term for any set of officials of the NBA has worked, shows that a set of Nigerians can still run commendable

[27] "to one who consents, no harm is done"; Harm suffered with consent is not grounds for a claim.

elections from which the country can take a learning. It has been very widely acclaimed as a living testimony that lawyers, Nigerians of a thoughtful and rigorous breed, can indeed run a very good election time after time. The system was even made better when every lawyer, young or old, was given a franchise. They could each vote and decide who the next President of the Bar should be. It became a great and proper thing for the NBA to do and jealously guard for its preservation, being a body of republicans in nature and thinking.

The idea of a single term also ensures that a person can only do a term and would not belabour the Bar with the problems of a second tenure. As the Presidency moves from one of the three recognised geo-political zones or regions (West, East and North) to another, it ensures that every part of the country gets a chance of having the Presidency come to it. There are very good reasons for the choice of a single term and it ought to be retained even if the Bar will need to reconsider whether or not to raise the single term to 3 (three) years instead of the present 2 (two) years.

Like every other product of the human brain, this very commendable system has thrown up some challenges with time which need to be addressed. The first among them is the now too frequent election or election cycles in the NBA. Two years seem to be rather short for any set of officers to fully implement their vision and mission. Also as they take the oath of office and have hardly settle down to work, electioneering campaigns heat up and cause unnecessary distraction. A single term of three years would seem to be adequate for a President to actualize his vision and goals for the NBA. More of this point will be borne out by the discussion of the cost of elections at the Bar.

2.3 Cost of Elections at the Bar

Closely related to that is the rising cost of election expenses particularly for the Presidency. Issues have been raised here and there that the cost of electioneering has become quite expensive and

costly. Figures in the billions have been mentioned as the costs of electioneering for any candidate. The costs are much more than what a single lawyer would have earned and saved in his practice and ready to commit into election into the office of the President. In consequence, prospective aspirants look around and source these large amounts from politicians and the likes. Nigerian politicians are wont to reap wherever they have sowed and even where they have not sowed. This has the immediate consequence that he who pays the piper dictates the tune of the music. The sponsoring politicians and their likes keep their eyes on dictating to (or, at least, influencing) the turn of policies and principles of the NBA concerning national politics and issues. The NBA is supposed to be the watch dog of the people in national issues and politics. Any President that a group of politicians succeed in buying over his allegiance or undue soft spot from, will definitely make a bad President. That seems to be the way that the very high cost of elections are driving national elections in the NBA. Time seems to have arrived when politicians will take their turn in sponsoring the elections of aspirants into the office of the President.

Another side effect of the high cost of electioneering, is that even if the lawyers are able to source the large funds needed for the election, in a situation where three candidates run for the office of President and each spends up to N1tr, the sum total of the three of them may end up spending N3tr on the election. This commentator does not think that Nigeria as a country can afford such a waste of gargantuan amounts for the election of Bar Presidency. Let it be remembered that there are at least about 8 other national officers of the NBA also to be elected at each election cycle, though the expenditure for each is relatively smaller now, say about ₦100,000.00 (one hundred million Naira) each. The officers' election costs about ₦3,800,000,000.00 (three trillion eight hundred million Naira) for one election cycle. That means that the NBA election cycle costs about ₦3trn and N800,000,000.00 (eight hundred million Naira). If that figure is repeated and wasted every two or three years, it would

mean that quite an amount is wasted for election cycle. The upward mobile ascent of inflation and cost of living ensures that this figure will increase at each election cycle.[28] There is therefore an urgent need for a ceiling to be put on election expenses for the elections. Putting a ceiling on election expenses and maintaining it, can be quite a task. Persons who spend beyond the expected limits will simply make sure their expenditure is never audited or investigated, or, if investigated, false figures will be returned as the result of the investigation. I expect a thorough discussion of this point by yourselves.

2.4 The Stemming of the Now Recurrent Cases of Indiscipline Amongst Lawyers, Especially of the Elites, SANs

Discipline among the members of the legal profession is one of the highpoints of the profession. A few, far and in between, errant misbehaviours have often been detected among legal professionals once in a rather long while. Such mibehaviours were caught and contained by the Rules of Professional Conduct for Legal Practitioners, 2023 as well as the Code of Conduct for Judicial Officers. It was the joy of the profession for practice to be conducted for a long while without the distraction of the news of errant behaviours.

It is reported in the NBA website that the most common complaints filed against legal practitioners in Nigeria are with respect to neglect, lack of communication and misrepresentation or dishonesty.[29] There is little wonder that misrepresentation and dishonesty are part of the chief complaints. Now, errant behaviours occupy a lot of space in the assessment of the work and conduct of

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[28] The figures cited here are not the products of a research but they may not be fara away from the actuals. The idea, however, is that whatever the actuall figures may be, they are figures that the country or the NBA can hardly spend on the elections every two years or thereabout.

[29] See LPDC: Addressing Lawyer Misconduct in Nigeria. Last visited 19th November, 2025

the profession. Recently, the Legal Practitioners Disciplinary Committee[30] announced on its website that it had handled several cases involving legal practitioners some of which were found to have misbehaved and some found not to have misconducted themselves.[31] In the absence of data, one may not be categorical about this but one thinks that the increment attributable to increase in the number of lawyers must be a small margin really.

The absence of befitting punishments for offenders among the elite class of the profession, the SANs, is principally responsible for the rot. The fact that some members of the SAN class carry on as if nothing can happen is not only alarming but poses a very serious threat to the continued existence of that class and of the profession as a distinguished genre of professionals. A lot of SANs and indeed of lawyers generally are noble men of character and virtue. It is only a minmal percentage that have been allegedly involved in not showing good examples. It is rather worse that those misbehaviours are sometimes connected with the headship of the rank. The fact that impunity goes on unaddressed in consequence not only breeds impunity among members of the class (who see that nothing has happened to fellow wrong doers in the past) but also emboldens other persons who belong to the outer Bar for impunity.

There is need for more transparency in the disciplinary process and hearings. It is very fine that Learned Senior Advocates of repute head each panel as presently is the case. However, there is room for membership of other professionals in the panel. A panel of 5 members could have two of the members drawn from liberal associations that view life not from a conservative viewpoint as lawyers do but from a liberal point of view. Examples may be the

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[30] The point must be made that this Committee through its several panes have been doing a great job indeed. It is just that the constancy of the occurrence of the unwanted behaviours is indeed worrisome.

[31] The comparison with the earlier years shows the increase in the number of cases brought before the Disciplinary Committee. It must be remembered that some cases occur but are eventually not reported and tried by the Committee.

author's association, the ANA that views life from a radical viewpoint. Commendation must be made to the LPDC for now lessening the time that the hearing and determination of a charge or complaint against lawyers from several years to a shorter time now. In the hey days of delay in the hearing of a charge it could take up to many years but now it takes even less than a year. That is a good improvement but more still needs to be done.

2.5 The Challenges with Stamp and Seal Project

One of the challenges facing the legal profession in the 21st century is the outright invasion of legal practice by non-lawyers. It is a problem which is intended to be solved by the introduction of the stamp and seal for legal practitioners in Nigeria.

On November, 14th, 2014 the National Executive Committee approved the affixing of stamps and seals on legal documents prepared by a legal practitioner. This was in keeping with Rule 10 of the Rules of Professional Conduct, 2007, ("RPC"). It was eventually launched on 15th April, 2015. From that date, it became imperative for a legal practitioner to affix his stamp and seal on any document prepared by him. This is to ensure the genuineness of the legal practitioner; that he was actually called to the Bar and also to ensure the authenticity of the documents emanating from him.

The stamp and seal project is a very laudable one designed to confirm the signing of a document when the signing lawyer affixes his stamp and seal to the document. The stamp and seal is only made out for proper legal practitioners whose names and numbers appear on the role of legal practitioners kept at the Supreme Court of Nigeria. The system should be such that no person can have a stamp made for him if he is not a legal practitioner. The inspection and oversight in the office of the supervising or issuing office should be strict and strong enough to ensure this. It is now established that the essence of the stamp and seal is simply to identify a legal

practitioner; so that the fact that a stamp and seal was made for a previous year does not negate the affixion once the identity of the practitioner is not in doubt. See the case of ***CBN v. Eze & Ors*** **(2021) LPELR-55554(CA).**

The influx of quacks has always been a source of concern, which is why some programmes, like the stamp and seal, have been devised over time to check their influx and attempt to take over the profession. Those quacks impersonate lawyers in Court and outside and do several unprofessional things.

The introduction of the stamp and seal ensures that those quacks do not endorse documents as coming from lawyers or do any such thing. They do not have any stamp and seal. However, one just wonders if some of our colleagues do not give their stamp and seal to these quacks to use. The kind of *jankara* practice that one encounters in Court these days it may well be a small thing for those practitioners to give out their stamp and seal to those quacks. Will such a lawyer hesitate from giving out his stamp and seal if it comes with financial gain?

Such lawyers aid and abet the impersonation of lawyers and can very well commit that crime themselves if given the opportunity. Under the Legal Practitioners Act, s. 22 (1) it is a criminal offence for any person not a legal practitioner to hold himself out to be a lawyer. Rules 53 of the Professional Conduct 2023 forbids a lawyer from sharing his fees with a non-lawyer.

2.6 Creation of Employment for Members of the Profession

Unemployment and under employment have become serious issues touching on the ability of legal practitioners being able to secure employment. So many young lawyers straddle the street with nothing doing or to be done. A new colossal number of legal practitioners is added to the roll each year. In 20255 alone about

11,000 (eleven thousand) new wigs is said to have been added to the legal profession alone. With that kind of increase, there is a very great job that needs to be done for the legal practitioners to be gainfully employed. The economic down turn in the country certainly affects the profession since the profession is only a part of the whole. But is there any way in which lawyers can be redirected in the search for jobs to look outside the normal Court room appearance and conducting of cases, or indeed outside the normal legal practitioner's work as it is known now? Is there a way to think outside the box as people would say? Is there a way lawyers can take advantage of AI in promoting legal work or introducing a complete kind of new legal work?

One way to create employment for the new wigs (and also for the older members) is to have a Committee of the Bar that will diligently seek out Ministries, Departments, Agencies of Government, Local Governments where there are no lawyers as Legal Advisers and impress it on every level of government that there is indeed a need to have legal advisers operate in those places. When such places are identified, NBA can take over and do the pushing. NBA can also expand the employment of lawyers as prosecutors in Magistrate's Court. It can take much more seriously the employment as Assistants to judges etc.

The issue of minimum wage for new entrants into the profession and up-scaling of employable wages for older ones in law offices, appear not to be able to wished away. Much as it a catchy phrase that needs very serious attention and being decreed into being, the realities in the marketplace for the established law firms make it unrealisable.

For law firms that do not engage in that kind of scheme, the salary at the end of the month, which in many cases cannot carry a young lawyer for a month, is all that there is. Is this sustainable for this profession? There are pros and cons for each of these things. And

they are troublesome questions which this profession must address as we are going on in the 21st century and beyond.

The idea of partnerships is one worth considering and promoting. However, it has several pros and cons. Why is it working where it is working? And why is it not working, where it is not working? Is there something in the African why partnerships may not work with him involved?

3. Continuing Legal Education in the Profession

Much work is being done in the legal education of members of the profession presently. Much more work still needs to be done. Presently, continuing legal education is mandatory. NBA announces at its website that any lawyer in practice in Nigeria is required to comply with the Mandatory Continuing Professional Development (MCPD) Rules which require him to accumulate at least 5 CPD credit hours annually to be eligible for license renewal for the following year.[32] Much of legal education is going on to the credit of colleagues who are involved in that work. All this is going on by virtue of rule 11 of the Rules of Professional Conduct 2023.

It appears the rendering of legal education has been liberalised such that lawyers themselves are now exploring several areas of legal knowledge and passing them on to lawyers at stated fees. That way, knowledge is not only being passed on to interested lawyers, the faculty that are passing on the knowledge are composed of lawyers with specialist knowledge in the areas in question. Many lawyers who may have been under employed or not employed at all are engaged in the passage of knowledge to lawyers. The arrangement is very commendable and ought to be kept up by succeeding Presidents of the NBA. Much of legal education was done before but succeeding Presidents had reasons why it was not pursued. It ought not to happen again. The ICLE must do everything possible

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[32] See https://www.nigerianbar.org.ng ICLE/Nigerian Bar Association

to make sure that the programme is left alive. The institute must also ensure that the contents of the lectures remain relevant and growing, not static or repetition of anything or subject. The interaction between law and the social sciences, law and the society and how law and lawyers can serve the society must be made a compulsory part of what is taught. How the law can be an effective vehicle or instrument of effective social engineering ought to be made available to, lawyers in the real sense.

3.1 The Nigeria Law School and Legal Training

The Nigerian Law School is probably doing its best as an institution for the practical training of lawyers-to-be in the vocational aspects of their training. However, the recent rolling out of First Class degrees in their numbers is a source of concern. The idea is not that deserving persons should not be allowed to graduate with a First Class. It is the number that is worrisome. The introduction of many new private Universities and their crave to prove to the world that they are the best University to send one's children and wards to, has made the award of First Class degree in law a joke. Times were when a Second Class Upper Division was the most any student could get, not because he could not get a First Class but because this is a conservative profession etc. The First Class degree was reserved for the exceptionally terribly brilliant ones.

Now, even with facilities not well developed, if it exists at all, the First Class degree is being awarded with great zeal. Sometime between 2010 and 2012, during the NBA Presidency of J B Daudu, SAN a member of this class, I was privileged to lead a team that went round the existing campuses of the Law School and those that were hopeful of coming on stream. We found to out amazement that the Yenegoa campus and the Yola campus had nothing, absolutely nothing to call a place for the vocational training of would-be lawyers. We recommended that those two campuses should wait and have structures etc. put in place before they would take off. The Nigerian thing happened and just as were submitting our report to

the NBA, those campuses were opened - with nothing and they went ahead to 'train' and graduate students. Possibly, some of them were graduated with First Class degrees! Nigeria is a very funny place.

The different campuses of the Law School should still be equipped for the benefit of the teachers in the campuses and, more importantly, for the benefit of the students.

3.2 Institute of Advanced Legal Studies and other Allied Institutions

The Institute of Advanced Legal Studies is a veritable centre for advanced legal research and endeavour in legal studies, matters and policy formulation or guidance. It functions or should function as a centre for the dissemination the results of advanced study and research in legal matters far above other research bodies and formulations in the country. It has probably done that depending on who is the head of the institute. I know that a member of this class was the head of the institute.

It should normally be expected that being an institute of legal studies, the law should have foreseen that the Director-General should be a legal practitioner. This is notwithstanding whatever the legal position may be in another country. We are running a different kind of country here, where anything really goes. And it goes, indeed. If the law was so made, it would afford the office holder the ability to liase and co-operate with all facets of the legal profession with respect to accreditation and such issues. If the Director-General is not a legal practitioner as defined by the Legal Practitioner's Act[33] he may have avoidable issues with other bodies headed by legal practitioners. This commentator would have expected that the enabling Act would have provided for that. However, s. 5 of the Nigerian Institute of Advanced Legal Studies Act,[34] that set up the

[33] See the text for footnotes footnotes 5 - 7.
[34] Cap 345, LFN, 2004

Institute does not make a legal practitioner the Director-General. The danger is that in Nigeria, where any and everything goes, if the President is so minded for any reason, a non-lawyer may even be appointed the Director-General. Anything indeed can then happen. It is a centre for law related research. There is no reason why a person other than a legal practitioner should head the place.

3.4 Conferment of the Rank of Senior Advocates of Nigeria

This, until recently, has been a very thorny issue in the profession. The complaint has been the transparency of the process of appointment of persons to be conferred with the rank of SANs. The Legal Practitioners Privileges Committee sits on the persons who have applied to be Senior Advocates. The work is divided into several parts including visits to the offices of applicants.

At a time in the past, the general complaint was that the whole exercise of the handling and selection of Senior Advocates was shrouded in such secrecy that nobody could hazard a guess other than condemning the entire process. Lawyers in the country identified persons who they said were not deserving of the rank if some other persons were not conferred with the rank. Some of those complaints seemed to have substance while some did not have any substance. Things kept improving themselves until before the recent times, when the the complaint was no longer with the processes before the final selection. It was that after the final interview the selection process only was shrouded in secrecy. Things got better when the number of successful applicants was raised from 15 persons to as much as 70 applicants or virtually everybody who applied and met the provisions of the guidelines.[35] The issue of

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[35] Meanwhile, the Academic Sub-committee had some three or four years earlier devised a table by which applicants were scored, marks awarded to candidates and they scored. They were recommended based on their scores and geo-political areas they came from. It was scientific and everyone was given what he deserved. This commentator was part of that Sub-committee from 2014 - 2022, before the 2022 exercise.

complaint died a natural death as practically everybody who was qualified in every respect got appointed a Senior Advocate.

The only complaint now seems to be coming not from potential applicants but from some of those who had previously been conferred with the rank. They state that the number of SANs is now too many and that the rank is losing its value and respect. They think the number should be drastically reduced. To address these persons' concern, rule 6 of the Guidelines states that the LPPC should have "regard to the need to maintain the highest standard of excellence and privilege of the rank". The conferring Committee is statutorily required to have the regard. I think they should be allowed to have the regard, because they are the ones seized with the complaints received by lawyers and non-lawyers each year before and after the appointment and conferment. Personally, I do not think that the complaint is well founded.

The major complaint against the system now is about rule 9(1) which empowers the Committee to appoint "not more than one academic" who has distinguished himself and has made significant contribution to legal scholarship and jurisprudence through teaching, research, published works and academic leadership".[36] As of early 2025, there were about 77 Council of Legal Education accredited Law Faculties in Nigeria[37]. This is exclusive of the Law Faculties which the Council have not yet accredited, who are not debarred from applying to be SANs through the academics. On a very conservative guess work basis, there are probably about 385 Law Professors in Nigeria today at the rate of 5 Professors per one Legal Education Accredited Law Faculty. Some of the Universities like the Universities of Lagos and the Rivers State University have up to about 20 Professors each. Out of this about only about 35 have been conferred with the rank since inception. Some persons

[36] Emphasis mine.

[37] This figure was supplied by AI itself thorough the search engines in the internet.

conferred with the rank were private legal practitioners who were conferred through the Academic Sub-committee, people like Sasegbon, SAN and were not Professors in any way.

Is this data fair to the academics by any means? It is not. The LPPC in making that rule in the guideline was not properly advised and it took a decision by the rule of the thumb. Many SANs who got it through the academics are making their humble contributions to the growth of the law from the academia and through private legal practice. They were qualified for conferment through both routes and simply chose the faster.[38] There are many others. If out of about 385 Law Professors in Nigeria, **not more than one** of them can be made a Senior Advocate in a year, it means the rules are deliberately rigged against them. In a year the LPPC confidently and without any qualms of conscience collects application fees, which is now ₦5m, from about 10 or more Professors and not more than one is appointed, it is both unfair and unjust. It is not that the 10 or more persons that applied do not meet all the stipulations of the Guidelines, but just because the Committee decided that not more than one of them should be appointed. It even means that the Committee can decide not to appoint anyone of them in any particular year.

3.5 Incoming Legislation on the Legal Profession

There is good news that the proposal and passage of a new Legal Practitioners Bill may soon become a reality. It has been reported that the President has sent the Bill to the National Assembly for passage.

The Bill includes innovative provisions that promise to take the profession to new heights if they are passed and also properly implemented. One of such is that the Body of Benchers will now be

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[38] This commentator is one such person and the legal profession is the richer for his appointment as a Senior Advocate. He has also been made a Bencher, which does not say that he is nit useful to the profession.

a body corporate with perpetual succession and a common seal: s. 1(1) of the Bill. Section 6 of the Bill states that the General Council of the Bar shall be charged with the general management of the NBA. It remains to be seen which sections of the Bill will be passed and how well they can be implemented. Much more can be said of the Bill, for good.

4. The Judiciary

The judiciary is a very important part of the legal profession. It has taken tremendous steps at its different levels and hierarchy to enhance the speed of Court proceedings, which must be deeply recognised. It has also taken steps time and again through constant adoption of new rules of Court[39] and constant reorganisation and discipline of its errant members to position itself where it ought to be. However, because it is only a part of the sick Nigerian society, it cannot but manifest some of the ills of that larger society. The fact remains that because of its placing as the hope of the common man, the light put on the top of a hill above the view of everyone in the crowd, it is clearly seen by all and sundry. Again, because the members of the judiciary do not have any chance of responding to allegations to clear the air, many times allegations are just made and, without any response from the Bench, the allegations begin to look like true. The NBA traditionally speaks for the Bench, which it is doing, but sometimes the facts of the issue do not even get to be known by the NBA or any other person, and an appropriate response may not be made. All these and other necessary things must be said in favour of the Bench, but whether or not the Bench must remain clean and above the crowd like Ceasar's wife must be taken for granted, as given.

One thing about the appointment of judges which is a very sore point, is the fact that family members of serving judges who are probably not better candidates for appointment get appointed while

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[39] The new Supreme Court Rules, 2024, the Rules of the Court of Appeal, the different High Courts Rules.

others are left uninvited. Of course no one ever says that the family members, friends of serving or retired members of the Bench should not be appointed just because they are such relations etc. However, if in an appointment process so many of the appointees are such relations etc. then that process beginning to clearly smell the semblance of abuse of office was involved. Members of the Bench and their relations etc. are only a very small percentage of Nigerians. Since, appointment is a sacred duty which every head of Court holds for the entire nation, the appointment of judges should be approached by every head of Court. It is not a family affair or a thing with which to curry the favour of a politician or other person of power in the polity.

The judiciary loses a lot when deserving and willing members of the academia are not deliberately recruited into the Bench. The appointment of judges from the academia has so far proven the point that there is a lot that the academia can bring to the Bench. T O Elias, Okey Acike and Niki Tobi are live examples of that claim. It is not a good thing that those three men after proving how good they were politics and little jealousies have not allowed others like them to be appointed. They were not just good judges, they were judges who terribly enriched the jurisprudence of this country. The judiciary keeps on losing what it would have got from such appointments.

Another like it is the appointment of proven men straight from private legal practice onto the Supreme Court and Court of Appeal Benches the Hon Justice Augustine Nnamani who was appointed onto the Supreme Court Bench from private legal practice very ably proved the point that his appointments was a very good choices. One is aware that efforts were made some time ago for appointment from the Bar onto those Benches but little jealousies did not allow those appointments to go through. Well-known names in the NBA indicated interest but were denied just because they were not coming from the judiciary. There is nothing under the sun that says that if a man started his life as a Magistrate or a High Court judge openings in the higher Bench should be left for him. If some other person who

is more qualified shows interest in appointment onto the appellate Bench, that person should be taken by all means.

Another point which should be approached with vigour as the country goes deep into the 21st century is the introduction of transparency into the appointment of judges. Where the appointment of judges who will sit over the fortunes and liabilities of men is shrouded in secrecy it leaves room for suspicion that underhand tactics may have been employed. The appointment of judges should be made absolutely transparent. Members of other bodies that are not members of the legal profession ought to be members of a Screening and Appointment Committee. The same thing should happen in the disciplinary process of judges. Much more room should be made for members of the society that the legal practitioner serves, from where the clientele of lawyers are drawn and over whom judges sit in their Courts. Much room should be made the world outside the lawyer's world to sit in the assessment of whether a legal practitioner or a judge is right or wrong in doing certain things. Today, amongst the Bench, the general impression of the Court being the hope of the common man in the street for justice and fair play is at the lowest level ever. Time was when persons like the Honorable Justices Elias, Chukwudifu Oputa, Kayode Eso, Andrews Otutu Obaseki, Anthony Aniagolu etc etc sat on the Bench in the country. These were men of unquestionable character and reputation. Today, it appears that every man on the streets, in his own understanding, has reasons to argue loudly that such men still hardly exist. There are still such men and women on the Bench but the regularity of their presence does not seem to be very encouraging. It ought to be.

4.1 The Cancer of Bribery and Corruption

Because of the shortness of the period used for part of this work, we do not have the statistics of corruption or the strong perception in the judiciary these days, but the perception in the air is strong and thick. The perception of lack of integrity and competence may all be

boiling down to perception of bribery and non-monetary corruption. They all tend to point to an undesirable state of the judiciary. It is just unbecoming that corrupt persons who are morally bankrupt, and terribly so even amongst lawyers, ascend the podium and lambast judges who are corrupt or who may not be. The great question for correction purposes, which is the major take here is, "What can be done about the bribery of judges and non-financial corruption of the different levels of the judiciary?" The fact that bribery and corruption exist in the judiciary can no longer be denied or debated. That fact can almost be felt and perceived in the air! That strong perception yields itself into a fact in this kind of thing, as it were.

A lot of work of self cleansing needs to be continued in the judiciary. The discipline by the Committee of the CJN does not seem to have succeed to the very desirable level. This is not due to the CJN not being able to discharge the responsibilities of his/her office. An independent agency or group to evaluate cases reported against a judge and then make recommendations is desirable. That agency or body could be a body of former CJNs, former Presidents of the NBA, prominent lawyers. They are more assured to be and retain independence and probity whatever the circumstances. They owe nobody any kind of allegiance or favour as individuals.

Bribery and corruption among Court support staff also needs to be tackled. Sometimes, it may actually be the bulk of perceived corruption of the Bench whose members may actually be innocent. However, it constitutes a great danger to the system. The Court staff seek to be bribed before a ruling already delivered by His Lordship can be delivered to the parties or the parties' legal practitioners. They desire bribery before the copy of any process can be procured from the Courts, etc. Bribery has become so common and so normal that helpless lawyers who interface with those members of the Registry now call them baptismal non-offensive names of 'showing appreciation' or 'showing kindness to the Registry'. This show of 'appreciation' or of 'kindness' to the Registry would not have

manifested and does not manifest where there is no insistence by the staff of the Registry, where they are not so corrupt as to insist; where no pressure is mounted by staff of those places.

5. Conclusion

This examination has shown the several needs for reform of the Nigerian legal profession in the identified areas. These reforms are of great and urgent importance for consideration and implementation. May everyone now arise and lead the way for the correction of these problems. It will need courage, boldness and the ability to look situations and circumstances in the face and call them by their names. This country must be saved and this profession to which we all owe a lot must be saved, not just for the upcoming generations, but for the present one. The pace at which some of these challenges are oncoming, if nothing is not done drastically, we may lose our calling - the practice of law in all its formations and calls of duty.