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## The Search for Sustainable Economic Development in Nigeria and the Role of the Young Lawyers

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## THE SEARCH FOR SUSTAINABLE ECONOMIC DEVELOPMENT IN NIGERIA AND THE ROLE OF THE YOUNG LAWYERS

(Text of a keynote lecture delivered on Friday, 25th March 2022 at the Young Lawyers' Forum Symposium organized by the Nigerian Bar Association (Ikere Ekiti Branch) in Honour of Professor Damilola Sunday Olawuyi, SAN, held at the Wole Olanipekun, SAN Bar Centre, Ikere Ekiti, Ekiti State, Nigeria.)

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**Oladoyin O. Awoyale\***

### 1. INTRODUCTION

I thank the organizers of this programme for counting me worthy to be invited as the keynote speaker. The title of this lecture is very apt and relevant in contemporary Nigeria today because of the pertinent issues of unemployment and underemployment of Young Lawyers in Nigeria. For easy comprehension, I will divide this paper into six parts which are as follows:

- (i) history of the legal profession;
- (ii) apprenticeship in law;
- (iii) learning the law at the Inns;
- (iv) Learning law in the University and the Law School;
- (v) post graduate training in law and specialization in legal practice; and
- (vi) entrepreneurship by young lawyers and its implications in sustainable national development.

### 1. THE METAMORPHOSIS OF THE LEGAL PROFESSION

What is known today as the legal profession started informally in England. The English law itself emerged from common law far back as the 13th century.<sup>1</sup> Then the doctrine of common law was so complex that it needed experts to proffer solutions to them. Since there was no one who was learned in law, narrators or pleaders arose or developed.<sup>2</sup> They Narrated cases and

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<sup>1</sup> O. Adewoye Prelude to the Legal Profession in Lagos 1863-1880. (1970) Journal of African Law p98.

<sup>2</sup> O.B. Akinsola Principles of Law in Practice (2016) St. Paul Publishing Hous Ibadan P3

developed pleadings and argue on some questions of law in courts on behalf of litigants. These were unlearned people in law but volunteered to assist the courts and litigants to settle pleadings and argue them in court at a fee.

They were later appointed as sergeants at law and it was from their rank that the word barrister first came up. The word attorney also came up to describe these barristers. This was during the reign of Edward I (1272-1307).<sup>3</sup> These barristers were patronized by landowners and religious bodies. The word barrister was first mentioned in 1455.<sup>4</sup> In the middle of 15th century the word solicitor also came up to describe barristers who practice at the Court of Equity and the Chancery. By 17th century solicitors are distinguished from attorneys or barristers. In the 19th century, the distinction between attorney/barristers and solicitors was abolished.<sup>5</sup>

At this time, there was no Law School or University where Law was being taught as a course, but there was in existence, a system of apprenticeship from Attorneys, Barristers and Solicitors. After some years of apprenticeship, a person can be called to the bar in any of the available Inns of Court in England namely:

1. Inner Temple- Inaugurated in 1388<sup>6</sup>
2. Lincoln's Inn- Inaugurated in 1422<sup>7</sup>
3. Middle Temple- Inaugurated in 1573<sup>8</sup>
4. Gray's Inn- Inaugurated in 1597<sup>9</sup>

Apprenticeship was later combined with teaching at the inns. Teaching at the Inn was abolished in 1642 leaving only apprenticeship in Barrister's Chambers and Law Firms. By 1729, English law required 5 years training at Barristers Chambers for new lawyers.<sup>10</sup>

In America, the same system was in operation and products of this system were John Adams, who was the second President of the

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<sup>3</sup> Ibid

<sup>4</sup> Ibid

<sup>5</sup> Ibid

<sup>6</sup> [www.Lincolnsinn.org.uk](http://www.Lincolnsinn.org.uk)

<sup>7</sup> [www.middletemple.org.uk](http://www.middletemple.org.uk)

<sup>8</sup> [www.graysinnhotel.com.ng](http://www.graysinnhotel.com.ng)

<sup>9</sup> [www.britanica.com>topic>legal...](http://www.britanica.com>topic>legal...)

<sup>10</sup> [www.britanica.com>topic>legal...](http://www.britanica.com>topic>legal...)

United States of America, John Marshall, Andrew Jackson and Thomas Jefferson.<sup>11</sup> The last two were later Presidents of the United States of America.

### **2.1 The Changing Position in England**

Apprenticeship was considered obsolete by Blackstone who was the first Professor of Law in England. But A.V Dicey was of the belief that apprenticeship was most appropriate and realistic.<sup>12</sup> Blackstone school of thought prevailed and a School of Law was established in Oxford where he was appointed the first Professor of Common Law in Oxford University. The second Law School was established at the University of Cambridge fifty years later.

In 1758<sup>13</sup> Blackstone buttressed his point: that law could be thought as part of a broader education at a university rather than as a mechanical part of a business in an apprenticeship." He said further, that law could be considered at a University with a study of logic and reasoning, legal history, comparative law and experimental philosophy and the classics of Greece and Rome.<sup>14</sup> Degree to be awarded in Law was coined as LL.B at the University College of London in 1826. By 1846 the House of Common had legislated that law should be thought as a Degree in the Universities. Queens College started Law degree in 1849. Students were taught from Blackstone Commentaries, Emmanuel Karts Commentaries and Jeremy Bentham Treatise.

Queens College was awarding B.A in Law and other disciplines as combined honours. Following the Queen's College example, B.A in Jurisprudence began in oxford in 1855, and Durham in 1858, Owen College in Manchester in 1880 and University College, Liverpool in 1892.<sup>15</sup>

### **2.2 Legal education in America**

The first American law school was established in the College of William and Mary in Virginia, in 1779 by Thomas Jefferson who was then the Governor of Virginia. He appointed George Whyte as the first Professor of Law in America. He formed a curriculum that combined the teaching of law with politics and government

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<sup>11</sup> [www.lawuchicago.edu>paths to law](http://www.lawuchicago.edu>paths to law)

<sup>12</sup> [www.britanica.com>topics>legal](http://www.britanica.com>topics>legal)

<sup>13</sup> Ibid

<sup>14</sup> Ibid

<sup>15</sup> Ibid

directed his students to visit the Congress regularly. Law school was established in Harvard in 1869.

Oliver Wendel Homes was the second Professor of Law in America.<sup>16</sup> Other countries emulated England and America by establishing Law Schools in their Universities.

### **2.3 Legal Education in Nigeria**

The first Faculty of Law was University of Nigeria, Nnsuka, established in 1960 under Professor G. M Johnson.<sup>17</sup> University of Lagos was established in 1962. The Faculty of Law was pioneered by Professor LCB Gower. Ahmadu Bello University's Faculty of Law was established in 1962 and Obafemi Awolowo University in 1962. First Nigerian Professor of Law was Professor Taslim Olawale Elias who was from Lagos State<sup>18</sup> and the first female Nigerian Professor of Law was Professor Jadesola Akande.<sup>19</sup> The University of Benin was established in 1970 but started the study of Law in 1981. The Nigeria Law School was also established in 1962. At the first-degree level, there is a certificate in general law issued to a lawyer but specialization commenced at the postgraduate level. Specialization in legal practices can help the young lawyers but it mostly requires higher degree in law. The general believes that higher degree in Law is only for those who want to pursue a career in teaching is therefore erroneous. Young lawyers must therefore be proactive, industrious, ambitious and studious after the first degree and call to bar.

## **3. AREAS FOR SPECIALISATION ON HIGHER DEGREES IN LAW**

Interested in pursuing a higher degree in law? Choosing a specialization can frame your educational and professional journey. There are different types of law degree specializations available to prepare students to work in their desired legal field, augmenting their existing skills and providing new, specialized knowledge.

No matter what type of law or legal degree program you are enrolled in whether it's a Master of Legal Studies (MLS), Master

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<sup>16</sup> Available at <[www.scholarship.law.win.edu](http://www.scholarship.law.win.edu)>accessed on March 12, 2022.

<sup>17</sup> Available at <[www.law.unn.edu.ng](http://www.law.unn.edu.ng)> accessed on March 12, 2022.

<sup>18</sup> Available at <[www.limeshighereducation.com](http://www.limeshighereducation.com)>accessed on March 12, 2022.

<sup>19</sup> Available at <[www.lasu.edu.ng](http://www.lasu.edu.ng)>accessed on March 12, 2022.

of Laws (LL.M.) or a Juris Doctor (J.D.) programme, most Universities offer a broad range of law specializations. Below are types of law degree specializations and you can find the one that best aligns with your personal interests and career path. From healthcare law to commercial law, there are many different law specializations to choose from. Depending on the school or degree type, the names of these specializations may vary slightly.

The following list, featuring 21 types of law degree specializations, is a roundup of practice specialties from the American Bar Association and Europe but some Universities in Nigeria have mounted specialized courses in the areas too, including but not limited to Animal Law; Administrative Law; Admiralty (Maritime) Law; Alternative Dispute Resolution; Construction Law; Corporate Compliance; Criminal Law; Cybersecurity; E-commerce; Education Law; Environmental Law; Family Law; Health Law; International Law; Litigation and Trials; Labour and Employment; Mergers and Acquisitions; Sports Law; Taxation Law; Trusts and Estates; and Estate Agency.

, students will learn about the legal challenges that e-commerce presents as technology continues to advance. This specialization option may be best for professionals interested in business, digital markets and trade.

#### **i. Animal Law**

Animal law is the combination of statutory and case law that relates to nonhuman animals. This specialization addresses issues of animal cruelty, property, entertainment, farming, federal statutes around exotic animals and more. Of the law degree specializations available, this one may be a fit for individuals interested in animal welfare and activism.

#### **ii. Administrative Law**

Administrative law focuses on the regulation, operation and procedures of government agencies. This specialization exposes students to the legal principles that govern federal and state administrative agencies and how this affects financial, health and workplace regulations, among others. This type of law degree specialization is most suitable for individuals interested in government administration on a federal and state level.

### **iii. Admiralty (Maritime) Law**

Admiralty law, also known as maritime law, is one of the many fields of law available to law students. It focuses on legislation that regulates economic transactions involving marine trade, sailors and navigation. This is not to be confused with the Law of the Sea, which refers to international public law surrounding coastal waters jurisdiction. This specialization may be optimal for professionals interested in the legal implications of activities at sea.

### **iv. Alternative Dispute Resolution**

Alternative dispute resolution is a field of law dedicated to solving disputes without litigation. Students in a Master's In Dispute Resolution programme learn about conflict negotiation, domestic mediation and area-specific dispute resolution. This concentration may best suit professionals who are peacemakers dedicated to creative and ethical conflict resolution. Professional certificate in arbitration and mediation is also useful here. It could be local or international certificate.

### **v. Construction Law**

Construction law refers to the broad field of law that protects industry workers, including construction workers, financial institutions, architects, planners and occupants, as well as the regulations that govern the planning, design and construction of buildings and structures. This type of law degree specialization is suitable for professionals who are interested in ethical work regulations, safety, project administration and more.

### **vi. Corporate Compliance**

Corporate compliance law ensures that companies and employees abide by laws, regulations, standards and ethical practices to avoid fines and lawsuits. Legal students pursuing this track will likely enrol in a Master's in Compliance program. The program allows them to gain insight into business regulations as well as how to navigate compliance issues with risk assessment. Professionals who are interested in applying law to business and workplace ethics are best suited for this concentration compared to other areas of law practice.

### **vii. Criminal Law**

Criminal law is one of the more common areas of law and provides students with the necessary training to become

prosecutors, defenders or lawyers with a firm. Students learn about individual liberty, fundamental rights, law enforcement, criminal behaviour, juvenile justice, criminal investigations and more. This type of law degree specialization may be ideal for people interested in public safety.

#### **viii. Cybersecurity**

Cybersecurity law is a legal field that supports the privacy, confidentiality and protection of public and private information systems. Students with a focus in cybersecurity will learn about domestic and international laws and regulations surrounding cybersecurity as these laws will continue evolving in the digital age. This field of law may be a good fit for individuals interested in online security, data management and policy surrounding privacy.

#### **i. E-commerce**

E-commerce law is a relevant field in the digital age as it supports businesses, governments and consumers in navigating commercial transactions that happen over the internet. In this concentration

#### **ii. Education Law**

Education law explores the policies and regulations that govern education, as well as higher education systems. Some of the issues related to education include equal education opportunity, gender or racial discrimination, school finances, special education and more. This law degree specialization is geared toward individuals interested in educational policy, rights and equality.

#### **iii. Environmental Law**

Environmental law involves all levels of government, statutes, regulations and laws related to the protection of the environment. This includes issues like natural resource management, pollution, land disputes, environmental policies and more. This type of law degree specialization is a viable choice for students interested in climate change and environmental activism.

#### **iv. Family Law**

Family law is another one of the common types of law to specialize in. It centres around legal relations involving any individuals within a family unit. Professionals in this field manage



legal arrangements around child welfare, adoption, custody, domestic partnerships, divorce and more. Students learn about legal implications within the context of a family. This area of law practice may be the ideal choice for individuals interested in working closely with families, many of whom are navigating transitional periods.

**v. Health Law**

Health law encompasses any legislation related to healthcare, including the representation of patients, health practitioners, clinics, insurance companies and more. Students studying healthcare law learn about the legislative, executive and judicial regulations that govern the healthcare industry. This field of law might be suitable for professionals interested in evolving healthcare systems.

**ix. International Law**

International law is a broad category that refers to the rules and regulations governing international relationships, including relations between United Nations states and individuals, international organizations and more. Students pursuing this area of law are exposed to the legal responsibilities of how UN states engage with one another. This type of law degree specialization may likely interest professionals who enjoy learning about global affairs and international policy.

**x. Litigation and Trials**

Litigation and trial law involves litigation management, as well as pre-trial, trial and appellate practice. Students learn how to represent parties in trials before federal, state and local courts. This law degree specialization targets professionals interested in gaining practical experience in the process of interviewing clients, creating trial strategies, and drafting pleadings, complaints, and counterclaims.

**xi. Labour and Employment**

Labour and employment law encompasses legal questions surrounding employee-employer relationships. This includes issues like wage compensation, harassment, gender, racial or disability discrimination and more. Students studying labour and employment law are exposed to mandates and regulations in the workplace. This field of law, like other areas of law practice, may

be best suited for people with specific passions, namely professionals interested in workplace equality, fair compensation and employee protection.

**xii. Mergers and Acquisitions**

Mergers and acquisition law explores the legal implications of transactions related to the ownership of companies, particularly when ownership is blended or transferred. This law degree specialization exposes students to corporate restructuring and strategy, as well as finance principles. This path may be a good fit for professionals who are committed to improving corporate performance or developing new business strategies.

**xiii. Sports Law**

Sports law involves any legal issues related to the sports industry, including labour laws, injuries, contract issues or unfair competition. Lawyers may work with collegiate athletic organizations, professional sports leagues, individual athletes or coaches. Sports law students learn about the rules governing sports as well as contract negotiations and more. This area of law practice may be best suited for people interested in the rights and regulations in the world of sports.

**xiv. Taxation Law**

Taxation law looks at the legal rules and procedures governing how federal, state and local governments calculate taxes. Taxation lawyers may work with the federal and state government or in law and accounting firms. They can also serve as in-house counsel for businesses. This is one of the common types of law to specialize in, and it could be a good fit for professionals who are interested in finance and tax procedures and who are willing to continue adjusting to new tax modifications. Individuals may get started on this career path by earning a Masters in Taxation Law.

**xv. Trusts and Estates**

Trust and estate law concerns the protection of assets during a client's lifetime. It also encompasses the distribution of those assets after death. This type of law degree specialization requires students to learn about the legal implications of wills, living trusts, debts, liabilities and more. This type of law practice may be a top choice for individuals interested in fostering long-term relationships with clients, teaching them to navigate financial and

personal issues over time.

**xvi. Estate Agency**

Estate Agency, the management of estates or landed property for clients such as engaging tenants etc. including equipment leasing. It is interesting to stress that the Nigerian economy is big enough to accommodate all these specialties.

Even with the first degree and call to bar, there are other opportunities for young lawyers other than practice. A young lawyer can be engaged as Company Secretary, Legal Officer for Public and Private enterprises, Legal adviser to corporate organizations. A young lawyer can join the Ministry of Justice as a State Counsel, Local Government as Legal Officers, he/she can join the Lower bench as Magistrates, District Judges and Area or Customary Court Judges, Legal/research assistants to Judge of High Court and Above.

A young lawyer can also decide to join academic. Here the issue of further studies as earlier emphasized shall come in again. Let me speak a little bit about joining academic by young lawyer.

**4. WHO IS A LAW ACADEMIC OR WHO IS A LAW LECTURER?<sup>20</sup>**

A lecturer is a person who gives lectures especially as an occupation at a University, Polytechnic, Monotechnic or College of Education. A lecturer is an academic who teaches, conducts research and leads research group.<sup>21</sup>

There are so many graduates in Nigeria but very few are interested in lecturing or teaching, while some who are interested in lecturing are not qualified to lecture because of their low grades. To be a lecturer, a good First Degree is required with a Master or Doctor of Philosophy Degree. A Law Lecturer who wants to combine professional practice or qualifications must also be called to the Bar, having passed the Nigerian Law school examination and met other requirement.

from the promotion criteria required in his/her institution, which

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<sup>20</sup> [www.prettylifestyle2.com](http://www.prettylifestyle2.com)>department...

<sup>21</sup> [www.thorougheducation.com](http://www.thorougheducation.com)>is-my...

Journal he is intending to publish his paper, whether it is a predatory Journal, Onshore/Offshore Journals, obscure or high-impact factor journal. The Journal papers must also be spread across for wider impact and to avoid inbreeding.

The truth is lecturers earn a lot of money through teaching, research grants and community service. Lecturers can also freelance in other institutes on part time basis (adjunct, sabbatical, post-doctoral research and visiting lecturer appointments) which make lecturing a good and lucrative job for people with the passion, knowledge and skills required for the job. Moon-lighting should be avoided here. Background check is always conducted on a prospective lecturer in order for the new employer to know his antecedents.

#### **4.1. Journal Publication**

Appointment and promotion in academic is not like in civil service. The rule in academic is "Publish or Perish". Publication of research articles in Journals is a necessity. The article publication must be in a reputable journal, and high impact Journal, not in Predatory Journal.

Index Journals are journals that are of high quality and certified by indexing organizations such as SCOPUS, JSTOR, Hein online, African Journal online and Bibliography of African Literature. Every lecturer writing paper for publication should find out the status of the journal he is intending to publish.

#### **4.2. The Young Lawyers and Entrepreneurship**

Entrepreneurship is the new phenomenon in our national development. By Entrepreneurship, is meant the ability of lawyers to use their training and education to think outside the box and invent, indurate and commercialized their inventories and inventions. Some lawyers have invested in bank and banking, building of schools, Nursery, primary, secondary and tertiary institutions. Young lawyers can venture into buying and selling of law books, journals, magazines, law reports etc., publishing of books on law subjects both offline and online, publishing of law reports and law journals. As a lawyer, just make sure that whatever business venture you enter into does not violate the professional ethics in the legal professional roles of practice.

Lecturing in Nigeria Universities is classified into seven (7) positions namely<sup>22</sup>:

S/No	Position	General Requirements/ Promotion Criteria	Requirements for Law Teachers Entry/ Promotion Criteria
1	Graduate Assistance (GA)	First Degree with First Class or Second Class Upper Division	Law Lecturers' entry point is Assistant Lecturer. GA is therefore not applicable to Law Lecturers in most Nigerian Universities.
2	Master Degree		First Degree with First Class or Second Class Upper Division
3	Lecturer II	Ph.D in Relevant Fields except in Medicine, Engineering and other Professional Courses	Master Degree in Laws (LL.M) must also have not less than 3 Publications in reputable Law Journals
4	Lecturer I	Ph.D with years of experience and requisite Publications	Fresh Ph.D in Law, or Master of Laws (LL.M) with at least 3 years on the Rank of Lecturer II (must also have not less than 6 Publications in reputable Law Journals- Local and International)
5	Senior Lecturer	Ph.D with years of experience and requisite Publications	Ph.D in Law with not less than 12 Publications in Reputable Journals both Local and International (with at least 3 years on the Rank of Lecturer I)
6	Associate Professor/ Reader	Ph.D with years of experience and requisite Publications	Ph.D in Law with not less than 18 Publications in Reputable Journals both Local and International (with at least 3 years on the Rank of Senior Lecturer)
7	Professor	Ph.D with years of experience and requisite Publications	Ph.D in Law with not less than 24 Publications in Reputable Journals both Local and International (with at least 3 years on the Rank of a Reader or Associate Professor)

**Note:** The above mentioned promotion criteria are not Universal but vary from Universities to Universities. Journal papers are now classified into High/Low Impact Journal, Index/Non-Indexed Journal, Onshore/Offshore Journals. Every Lecturer writing paper for publication must find out

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<sup>22</sup> Federal University Oye Ekiti (Guideline for Appraisals, Appointment and promotion of Academic Staff. October 2014.

To create sustainable economic development of Nigeria, the young lawyers should contribute their quotas by self-reliance through entrepreneurship which will not only keep them employed but also employ others and pay both personal income tax and corporate tax to drive the economy by the government. Such enterprises so created by entrepreneurship will also perform corporate social responsibility in their environment of operations.

### **4.3 Young Lawyers and Sustainable National Development**

National Development is the process by which a country improves the social and economic well-being of its citizens through the provision of amenities such as quality education, good roads, medical facilities and other social infrastructures. Using the capacity of the country to raise the standard of living of its residents, it can be achieved by providing individuals with basic livelihood requirements and supply them with employment.

When you look at Chapter II of the constitution, it tries to put the obligations on the government to provide for economic support for citizens in section 16(2) (d). The social objectives encapsulated in section 17 are also to ensure that government runs good governance by meeting the economic, social, cultural and educational needs of the citizens. But government has failed successively, so it is now left to the individuals, groups, and organizations to strive to be self-reliant through education, entrepreneurship and self-development. The fact that chapter II of the constitution is not justifiable has made the government at all levels in Nigeria to be evasive of their responsibilities. So Nigerians have to take the bull by the horn having being abandoned to our fate by government.

That is the reason why the youths should stand up and create jobs instead of being job seekers. There must be vistas of innovation, invention, and display of ingenuity in digital technology which is the trend globally.

Thank you all for listening.