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DECAY IN THE LEGAL EDUCATION SECTOR: THE WAY FORWARD

Text of the Keynote Address by the Founder & Chancellor, Afe Babalola University, Aare Afe Babalola, OFR, CON, SAN at the 2022 NBA Legal Education Summit Holden at Alfa Belgore Multi-Purpose Hall On Wednesday, March 30, 2022.

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1. INTRODUCTION

I want to start by thanking the leadership of the Legal Education Committee of the Nigerian Bar Association for bringing us together to "examine the journey so far in the development of the legal education system in Nigeria and to chart the course for a desirable future built on pedagogical innovation and transformative development". The choice of Afe Babalola University, Ado Ekiti (ABUAD) as the venue for this Summit is a demonstration of the quantum of respect you have for me as a person and the appreciation of the landmark achievements of ABUAD particularly in Law, in the last 12 years of its existence as a university.

1.1 Law, a dignified and honorable profession:

The legal profession is as old as the history of man because even God, the Creator, in the Book of Genesis Chapter 1, verses 1 to 5, saw that the universe was in darkness. In his Almightiness, God thereafter made a law that there should be light.

Ladies and gentlemen, therefore, since the beginning of human history and up till now, Law has not only remained the preferred profession, it has also been accorded the pride of place in the

society. As a matter of fact, most families want their children to study Law, Medicine and Engineering in that order. Our experience in our 12 years existence as a university has confirmed that practice. As a matter of fact, since we commenced Academic works on January 4, 2010, the largest number of Applicants want to study Law, followed closely by those who want to study Medicine and then Engineering.

2. ORIGIN OF LAW PROFESSION IN NIGERIA

The legal profession as we know it today was imported into Nigeria from England. After independence, we continued to pattern our practice after the English system. In the years before and immediately after independence, the quality of education and standard of law practice were as high as those in England. As a matter of fact, some of the Lawyers and Judges in the country came from England, West Indies and Sierra Leone. At that time, Lawyers were respected, they were the best dressed people around, they were riding the best cars in town. On their part, Judges were not only accorded more respect, they were deified. They were seen as the replica of God 'mutatis mutandis' on planet earth. Judges were not seen attending 'Owambe' parties. In fact, they were hardly seen in public.

3. STATE OF THE LEGAL PROFESSION TODAY

This Summit is set up to "examine the journey so far in the development of the legal education system in Nigeria and to chart the course for a desirable future built on pedagogical innovation and transformative development".

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The truth is that, things have changed for the worse. Regrettably however, Lawyers are human beings and they cannot be totally insulated from the viruses that have infected our society such as insecurity, banditry, kidnapping, herdsmen's attacks, grinding poverty, robbery, decayed infrastructure, unpaid salaries, pensions and other emoluments, badly depreciated Naira and the effect of the heavy external debt burden.

In addition to the societal viruses mentioned above, legal education and the legal profession are afflicted with the following peculiar problems:

1. **Poor Funding and Quality Education**
Education in Nigeria has been badly affected by poor funding. The starting point is that quality and functional education or education, properly so called, is a very expensive enterprise. When education is not properly funded, institutions of learning will be ill-equipped in terms of befitting structures, modern laboratories, modern ICT infrastructure, teaching facilities and quality staff. It follows therefore that the products of such poorly funded institutions including those who study Law are bound to be poor materials. It will also reflect in the standard of practice and standard of judgments in the law profession. I have addressed the issue of poor funding over the years.
UNESCO recommends that at least 26% of the national budget of every country should be dedicated to education. Whilst this level of funding may not be easily achievable by developing countries which have to grapple with other matters such as health care delivery, security and infrastructural development, funding of education must nonetheless be accorded prime of place by any serious government.

However, the unpalatable reality in this country is that budgetary allocation by successive governments over the years has been far below UNESCO's recommendation. As a matter of fact, the average budgetary allocation for education by the Federal Government of Nigeria has always been about 7% which is the least in Africa.

In order for us to better appreciate the inadequacy of funds allocated to tertiary education, I wish to compare what California State University spends on education with what Nigeria spends on education.

North California State University budgetary expenditure in 2012 was $7,130,137,243 which translates to N1, 212, 123, 331, 310. The Federal Government of Nigeria's budget for 50 Federal Universities and UBE (Universal Basic Education) is N495,456,130,065 which translates to 40.88% of the budget allocation of California State University. We do not need a soothsayer to tell us that the quality of education in Nigeria cannot be equated to that of the North California State University.

2. University Entry Requirements

As at today, the minimum entry requirement into Nigerian tertiary institutions is the Senior Schools Certificate Examinations (SSCE) or GCE Ordinary Level. This is very absurd. There is nowhere in the developed world where School Certificate is accepted as the minimum requirement into universities.

When the University of Ibadan was established in 1948, the minimum entry qualification was two papers at GCE Advanced Level or HSC and five Credits at Ordinary Level, including English and Mathematics. Additional requirements depended on the course of study by Applicants. The same conditions applied when the University College, Ibadan, UCI, became a full-fledged university. This practice continued with the first-generation universities in Nigeria. However, this time-honored entry requirement was abandoned for ordinary School Certificate.

It is a well-known fact that in the United States of America and Germany and many other countries of the world, the standard of law practice is very high unlike what obtains here. One of the factors responsible for the high standard is that they have ensured long ago that admission to their Law Colleges is not open to school certificate holder.

In United States of America and Germany, the standard practice is that anybody who wants to study Law should have a First Degree before venturing to study Law. This is understandably so because Law requires highly knowledgeable people with broad knowledge. It is a historical fact that Lawyers are called "Learned people". From my experience, a Lawyer must know something about everything. He must know something about Engineering, Economics, Medicine, Accounting, Banking, Science etc. This will enable him to find solutions to the problems affecting clients who belong to the aforementioned professions.

For me, I had my first Degree in Economics. This has been very relevant and useful in my almost six decades of legal practice.

One may ask: What does a 17-year old boy admitted to study Law know about life? Reading and learning the principles of Law is one thing but litigation and practice of law is another. I will address the solution later.

3. The Nigerian Law School

The Nigerian Law School was established in 1962 and started off with eight (8) Law graduates. At that time, there was no institution awarding Law Degrees in Nigeria. Those who wanted to study Law then were invariably children of the very rich who had the money to send their children to England.

In England there were four Inns of Courts, namely: Inner Temple, Middle Temple, Lincoln's Inn, and Gray's Inn. The practice then was that a Lawyer must register as a member of one of those four Inns of Courts, attend law dinners and pass the Bar Final Examination before being called to the Bar. The English Lawyers were expected to obtain a degree in law before registering in one of the Inns of Court.

However, in the case of Nigeria, the Inns of Courts admitted Nigerians with ordinary School Certificate. Hence, most of our lawyers at that time had no University degree. All they had was the Bar Certificate from one of the Inns of Courts otherwise known as B.L.

The Nigerian Law School took off in Lagos before it relocated to Abuja. Apart from the Central Law School, there are 11 Campuses of the Law School, including the six that were added

recently. The Law School which produced only eight (8) graduates in 1962 produced 4,350 in 2021. It has 6,510 students for the current year.

Now, the question is: Do we need a Central Law School? And if we do, what should be its role? Do we need a multiplicity of Law Schools all over the country?

3.1 Problems affecting the Nigerian Law School:

For me, the proliferation of Law school, poor funding, large number of Law graduates to be catered for annually, poor infrastructure and lack of modern teaching facilities among others are factors which have adversely affected the Law profession.

What we need is one Central Law School with up-to-date facilities, faculty members of international repute and quality of facilities for post-LL. B training.

The Law School, which should be a Regulatory Body, will perform the following functions:

a. Supervise the University which will train graduates for the Law School examination,
b. Provide curricula for the training for Law graduates who want to be lawyers,
c. Set final examinations for students who would be called to the Bar, and
d. Accredit universities which have reputable Law Colleges to train graduate Lawyers for 12 months after which they will take a common examination moderated by the Central Law School.

With this proposed arrangement, Law graduates from Nigerian universities will proceed to these reputable Colleges/Faculties of Law with up-to-date facilities and Faculty members of international repute for their post-LL. B training and only to write their Call to Bar Examinations without having to be residential students in any Law School as is currently the case. This way, the problem of paucity of funding, poor facilities and inadequate accommodation space would have been solved.

It is common knowledge today that there is not a single one of the existing Law Schools that has modern equipment, libraries internet facilities, E-libraries and modern ICT infrastructure. It

makes absolutely no sense therefore, to create more mushroom campuses, not least for political expediency. The training of lawyers ought to be decentralised in line with international best practices. It should be made to be in line with the current arrangement for WAEC, NECO, ICAN and CIB examinations.

4. **Lack of Inter-Disciplinary Curriculum**

As I said earlier, Lawyers are learned people who know something about everything. Knowing legal principles and theories alone do not make a good lawyer because Law cuts across all disciplines. And so, as the practice in the advanced world, legal knowledge needs to be combined with other forms of expertise, such as Economics, History, Mathematics, knowledge of Capital Market and Customer needs in order to create innovative new products and services.

Here in ABUAD, the curriculum in our College of Law, we prepares our would-be lawyers for the challenges they would meet in practice. That was why I introduced Mathematics as part of the requirements for those who want to study Law even though it was not one of the subjects listed by NUC for those who want to study Law. The reason why I did that is simple: Mathematics deals with logic. I equally introduced Entrepreneurial skills, foreign languages, Agriculture, History, Geography and Latin at 100 Level.

It is common knowledge that the best lawyers and Judges such as the late Hon. Justice Kayode Eso, JSC (rtd), Hon. Justice Chukwudifu Oputa, JSC (rtd) and Hon. Justice Yinka Ayoola, JSC (rtd) this country has produced are those who were (are) very versed in languages and have acquired other Degrees in Liberal subjects.

Ladies and Gentlemen, the principal function of university, besides transmitting knowledge and enabling students to discover their own preferences, is to develop students' entrepreneurial spirit. Therefore, if the Nigerian Law Faculties are going to contribute a larger quantum of empirical knowledge and innovative theory to the understanding of law and legal institutions, they will need to enlarge and broaden their research interests and methods.

5. **Undue Restriction of The Number Appointable Sans**
   The title of Senior Advocate of Nigeria, SAN, is the equivalent of King's Counsel (KC), in England where we imported the idea from.
   I have addressed this issue of restriction on the number of appointable SAN severally in my Newspaper Columns in the Nigerian Tribune, The Vanguard and in some of my public lectures.

   I was a member of the Legal Privileges Committee of the Bar, but I deliberately resigned when I found that many appointable legal practitioners were not appointed. My position has always been that everyone that applied and found appointable in any particular year should be so appointed.

   In England, from time immemorial, no matter the number of Applicants for QC in a particular year, all those who are found appointable are appointed annually. Up till now, there is no question of appointing some of those who are qualified leaving others for another year.

   However, the practice is different in Nigeria. In the last few years, many lawyers have been asking for the abrogation of the SAN title. Their grievance was that they applied year after year and they are found appointable, yet they were not appointed. The authorities, in their wisdom, limit the number of those to be appointed to less than 20 thereby leaving a huge backlog of those who are qualified for another year. The practice of limiting the number of lawyers to be appointed SANs over the years has led to a huge backlog of appointable but unappointed legal practitioners.

   The questions many ask are: If a person is qualified to be appointed, when does he become unqualified to be appointed again? What criteria do the appointors use to jettison those who are left out of the qualified ones? Certainly, this practice may not be free from extraneous considerations. The good news however is that in the last two years, the number appointed annually has increased.

   That notwithstanding, I am still of the firm view that we should follow the practice in England and appoint all those found appointable every year.

6. Independence of The Judiciary

It is unfortunate that since Nigeria's independence in 1960, the Nigerian state has been wallowing in the abyss of misrule and has been struggling tenaciously to sustain genuine democracy and the judiciary has been saddled with the role of stabilizing Nigeria democracy.

When we look at our political system of government, the performance of the three arms of government, the electoral crisis and the post electoral crisis in Nigeria, one will arrive at the reluctant and bitter realization that the masses and electorates are not strong enough, united enough, courageous enough, or enlightened enough to cause the three arms of government to adhere strictly to the age long principle of separation of power. The abuse of state power mentioned here could not have thrived in Nigeria if the doctrine of separation of powers and rule of law and independence of the judiciary are strictly observed and religiously adhered to, and requisite checks and balance of state powers stringently maintained and respected. Assuming that these principles were rigorously adhered to in our country, Nigeria, the practice of democratic governance would have been well entrenched in our nation.

The relevance of separation of powers and the independence of the judiciary can be fully appreciated in Nigeria if we recall that the successive Military Governments we have had in Nigeria had invariably arrogated onto themselves executive, legislative and judicial powers and consolidated that in one unified power structure which is not uncharacteristic of the military as a unified and centralized command structure. Here is the clearest imperative of the demand for a separation of state and governmental powers in any political and governmental system, and the desirability, if not indispensability of the doctrine of independence of the judiciary. Throughout history, there has been exhibited a tension between the doctrine of separation of powers and the need for balanced government, that is, an arrangement depending more on checks and balances within the system than on a formalistic separation of powers.

The independence of the Judiciary as enshrined in the Theory of separation of powers implies that the Judiciary should be independent of the two other Arms of Government i.e. the Executive and the Legislature.

The whole essence of this is to ensure that those who man the Judiciary i.e. the Judges at all levels from the Magistrates to the Justices of the Appellate Courts would be able to carry out their duties without fear or favour to enable them deliver judgements in all matters before them.

The import of the place of judgeship is perhaps better appreciated in the words of R. Ekpu when he said:

> "When you look at the courts today and you find judges who are willing to turn the law topsy-turvy in order to serve interests other than those of justice, then the courage of the few, who realize that they are sitting on the throne of God and that the only expectation is that they should do justice to all manner of men, strikes you deeply. For indeed the seat of a judge is the Throne of God".
>
> "If a man has the power of life and death over another man, what more can he ask for except the humility to approach his job with reverence, and if one may borrow the lingo of the law, to do justice to all who bow before the throne, without fear or favour, affection or ill-will.

But then, can a Judge deliver his judgments without fear or favour, affection or ill-will in this clime?

Let us look at this well reported case: In the early hours of Saturday, October 8, 2016, Nigerians awoke to reports of the invasion of the houses of several Judicial Officers by Officers of the State Security Service or Directorate of State Services (DSS). In the course of the said invasions, the homes of the Judges were searched and some of them arrested. It was also reported that the search led to the discovery of huge sums of money in local and foreign currency.

This development naturally attracted immense attention from the public. While some praised the development, viewing it as a step in the right direction by the current administration which had always made known its intention to tackle corruption, others condemned the action on the grounds that not only did the DSS lack the statutory powers to act as it did, but also that the raids amounted to a denigration of the judiciary as an institution. While the DSS stuck to its narrative that it was compelled to act owing to the failure of the National Judicial Council (NJC), the body

saddled with the duty of enforcing discipline in the judiciary, to investigate reported cases of corruption within the judiciary, the NJC itself insisted that it was not subject to the supervision of any authority or individual. Not unsurprisingly Lawyers were themselves sharply divided with some arguing in favour of the conduct of the DSS while others condemned it.

On my part I issued a statement in which I expressed concern at the allegations made against the Judicial officers while at the same I expressed serious reservations about the conduct of the DSS particularly the effect of its actions on the independence of the Judiciary. To put in proper perspective the views which I will proceed to state herein, I consider it pertinent to reproduce some parts of my public statement at that time:

> "While it is true that a drastic situation may require equally drastic measures to curtail it, it is also true that two wrongs do not make a right…
> "I must admit that I am shocked at the claims that huge amounts of money in local and foreign currencies were recovered from the homes of some of these Judges. If proven to be true, surely the Judges concerned must offer some explanation as to how they came to be in possession of such vast amounts of money. However, I am equally shocked at the manner in which the "raids" were carried out and the resultant negative publicity it has attracted to the judiciary and the legal profession as a whole. It is for these reasons, given my position in the legal profession to which I have belonged for about 53 years, that I offer my views on the sad events of Saturday the 8th of October 2016. As more details come to light, as they surely must, given the enormity of the situation, I will speak as the occasion might require."

While the debate on the raids has since continued, I have noted that much of the discussion has, since the night of the event, gained political coloration. From both sides of the debate has emerged an unfortunate tendency to characterize anyone with an opposing view as either a supporter/beneficiary of corruption or a proponent of impunity in governance. Such a hardline stance is very unfortunate indeed and will only serve to discourage open and frank discussion of pertinent national issues without which no democracy can exist or thrive.

However, as it cannot be denied that the incident of 8th October, 2016 threw up lots of legal issues, it in the national interest that those issues be addressed, devoid of sentiments, from a legal standpoint. I state this for the following reasons:

i. Ours is a country of laws, the existence and makeup of which is deeply rooted in the Constitution of the Federal Republic of Nigeria 1999 (As Amended).

ii. All persons involved or alleged to be involved in the events of 8th October, 2016 be they officials of the DSS, the accused Judges, the members of the NJC, Presidency etc are public officials who owe their offices to the provisions of the Constitution of the Federal Republic of Nigeria 1999 (As Amended), the sanctity of which they have also sworn to uphold.

iii. It is settled that when men or groups of people come together to form a nation and thereby give up their individual identities and freedoms, they do so with the realization that they will be governed by certain laws and also the expectation that those laws will be strictly adhered to and implemented, without favour or bias by those in authority over them, be they appointed, selected or elected.

Given the above, I will proceed to address some of the legal issues involved in the matter.

Were the Investigations, Invasions, Searches and Arrests within the Core Mandate Of SSS as Claimed?

After the raids, the DSS issued a statement which was signed and read by one Abdullahi Garba on behalf of the DG SSS. It reads in part as follows:

> "The Department of State Services, in the past few days, has embarked on series of special sting operations involving some Judges of the Supreme, Appeal and High Courts. The operations were based on allegations of corruptions and other acts of professional misconduct by a few of the suspected Judges.
> The Service action is in line with its core mandate, as we have been monitoring the expensive and luxurious lifestyle of some of the Judges as well as complaints from the

> concerned public over judgment obtained fraudulently and on the basis amounts of money paid. The judges involved were invited, upon which due diligence was exhibited and their premises searched."

By this statement, the DSS unequivocally admitted that its operations were based on: (a) allegations of Corruption against the judges and; (b) alleged acts of professional misconduct by the judges.

Having regard to the provisions above, it is obvious that the claim of the DSS in its statement that its actions in arresting judges for corruption and professional misconduct were "in line with its core mandate" is utterly misconceived. The establishment law of the DSS limits its powers to matters of internal national security. It has no business with investigating or prosecuting economic or financial crimes by judges especially when such crimes have nothing to with terrorism, treasonable felony and other similar offences which may threaten national security. For the above reasons, even if one were to argue that the powers of the NJC cannot curtail the powers of the law enforcement agencies to investigate the judiciary for corruption, the DSS is not the appropriate body to carry out such investigations since its powers are limited to matters of internal security. The other bodies who may be regarded as having the powers to investigate corruption in the judiciary would be the ICPC, EFCC and the Nigerian Police. Definitely NOT the DSS!!!

In two cases, the Court has made it clear that the SSS and its predecessor, the NSO lack the power to act outside of the statutory purview.

1. In Tawakalitu v. FRN the Court of Appeal stated as follows:

> "From the foregoing provisions of the Police Act and CPC, it is clear that the powers conferred on the police are wider than those of the State Security Service which are confined to detection of crimes against internal security of Nigeria; preservation of all non-military classified matters concerning the internal responsibilities affecting internal security of the Nigerian State as the National Assembly or President may deem necessary to assign to the service.

> With the greatest respect, examination malpractices and/or certificate forgery is not one of those crimes relating to or contemplated by the National Security Act on internal security of Nigeria so as to confer the State Security Service with the powers to arrest, detain, investigate and arraign the accused persons in that respect. Ordinarily, as State Security operatives or citizens of this country, they have powers to apprehend any criminal caught committing an offence but in line with section 9 and 39 of the Criminal Procedure Act and Code respectively, the accused persons/appellants ought to have been taken before a police station and handed over to the police officers who are statutorily charged with the responsibility of investigation crimes of the nature with which the appellants were charged which State Security Service officers in this case failed to do. In essence, they usurped the powers of the police as provided under the Police Act as earlier cited."[1]

Also, in Mufutau Balogun & Ors v. Attorney-General of the Federation, the Court stated as follows:

> "…It must be observed first and foremost that the offences with which the defendants were charged had nothing to do remotely with State security matters while is it true that every citizen, as the said operatives, has a duty to assist in the arrest of offenders, it is the function of the police to investigate alleged offences (other than security matters) in accordance with the law before prosecution takes place if need be. The police Act, in particular sections 3-11 are relevant. I find it necessary to refer to section 9 of the Criminal Procedure Act… in the present case, the said N.S.O. operative had no basis upon which they deprived the police of their constitutional right to immediately take over the case and take necessary statement from the defendants in their own office…"[2]

As I stated earlier, it cannot be denied that corruption is rife in the country and requires urgent attention. In this respect the resolve

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1. (2011) All FWLR (Pt. 561) 1413 at 1489 to 1490, par E-F.
2. (1994) 5 NWLR (Pt. 345) 442 at 456.

of the current administration to tackle corruption headlong must be commended and supported by all Nigerians irrespective of political leaning, religious inclination, tribe or professional calling. However, in tackling the menace of corruption, the law and due process must not be discarded. Some have argued that what is required to stop corruption is what they refer to as the Ghana example. By this they refer majorly to that aspect of Ghana's past when past and then current leaders thought to have contributed to a lot of the country's problem were executed. Why any Nigerian who has witnessed the dark days of military rule in this country would advocate same as a panacea to our current problems is difficult to understand.

I am a firm believer in adherence to law and democratic ideals. I believe strongly that the fight against corruption can still be waged and perhaps even with more visible results by adherence to law and due process. I must mention here that when lawyers and those in the know refer to due process, all that we mean is that the laws and procedures which guarantee certain rights to all Nigeria and also ensure the fairness of all criminal trials should be observed with respect to everyone. Those laws do not mention any Nigerian by name, yet they provide an umbrella of protection for anyone who, given the facts of his case, can call them in aid. Therefore, when those laws are infringed with respect to any Nigerian, when they are disregarded with respect to any Nigerian, they lose their efficacy with respect to all Nigerians. It is also pertinent to state that the laws and rules forming the basis of our criminal justice system do not in reality have as their ultimate objective the conviction of all persons who have committed crimes. On the contrary, they serve a greater purpose which is to ensure that no person accused of an offence is found guilty of same without a proper trial or put differently, they are designed to ensure that the innocent do not suffer unjustly.

It is with the above in mind that I recommend the following:

a. Build and strengthen institutions that will outlive individual governments

Governments will come and go but strong governmental institutions will last forever. Government should therefore strengthen institutions such as the NJC to further enhance its capacity to perform its constitutional duty. This may include an amendment to the provisions of the Constitution regarding

membership of the Council. At the moment, the Council draws its membership almost entirely from the legal profession. Only two members who are not members of the profession are to be appointed by the Chief Justice of the Federation. Furthermore, although five members of the Nigerian Bar Association are permitted to be members, these five persons are by the provisions of the Constitution permitted to sit in the Council only for the purpose of considering the name of persons for appointment to the superior courts of record. Therefore, where the matter to be discussed relate to discipline of erring judges, the five members of the NBA cannot sit in Council. This exclusiveness may have for too long unwittingly shielded the judiciary from the pains and lamentations of ordinary Nigerians who daily complain about the slow pace of justice delivery in the country and its attendant problems. It may therefore be helpful to increase the number of members of the council who will come from outside of the profession and the judiciary itself.

b. Improved process of appointment of judicial officers

The NJC itself should take a further look at the process of appointment of judicial officers. Most of the cases in which judges have been accused of corrupt practices are often as a result of judgments which confound the public. In reality, some of these instances occur not out of corrupt practices but sometimes out of sheer incompetence. This can for example be the only explanation for the refusal of a Judge to deliver a ruling or judgment several months after conclusion of a matter. The NJC should therefore take further steps to ensure that only competent hands are appointed to the bench of the superior court of record. While it has commendably introduced measures to make the process of appointment transparent, it should nevertheless continue to seek ways to improve in this regard. Government on its own must put in place remuneration packages sufficient to attract the most brilliant minds from the bar to the bench. With the current economic realities it will be difficult to convince a lawyer who is making a lot of money in private practice and who by remaining in the said private practice is likely to continue to make even more, to jettison his practice for life on the bench. I will address this aspect of my recommendation in fuller details later.

c. Harmonization of law enforcement agencies

Government must also put a stop to the current proliferation of law enforcement agencies. Numerous law enforcement agencies

exists which today perform duties traditionally and constitutionally reserved for the Police. Some of these are the Economics and Financial Crimes Commission (EFCC) Independent Corrupt Practices Commission (ICPC), National Drug Law Enforcement Agency (NDLEA), Federal Road Safety Commission (FRSC) and even the Nigeria Security and Civil Defence Corps (NSCDC). Without a doubt the existence of these bodies have greatly eroded the powers and functions of the Nigeria Police Force and contributed in no small measure not only to the prevalence of corruption but also to the huge cost of governance in Nigeria. The vesting of police powers in several agencies without an attendant reduction in incidents of crime or increase in the capacity of those agencies to prevent, detect or investigate crime should alert government to the need for harmonization of the powers and duties of law enforcement with a view to guarding against further proliferation.

7. **Mode of Appointment of Judges**

The quality of any Judiciary depends on the quality of the lawyers appearing before the courts. In the sixties when I began the practice of Law, appointment to the Bench was strictly on merit. At that time, appointments were by invitation, after, at least, 10 years in practice. Sitting Judges were always quick to identify Legal Practitioners who possessed sterling qualities suitable for appointment to the Bench. Aside from sound knowledge of the law, integrity and honour marked out and propelled many Judges appointed in those days to the Bench. However, this was made possible by the 1963 Constitution which was in force at the time. Under this Constitution, the procedure for the appointment of the Justices of the Supreme Court, as well as a Judge of the High Court of Lagos, are similar – the President appoints, acting on the advice or recommendation of the Prime Minister. Though this procedure seems simple, it was yet effective and notorious for producing the most qualified and best-suited judges on the Bench. This system effectively obviated a recourse to political affiliation, nepotism or favouritism in the appointment of judges which, no doubt, has characterised the appointment mechanism today. Undoubtedly, the provision of the 1999 Constitution as to the appointment of Judges and Justices deeply encourages the politicisation of this hallowed position. A Justice of the Supreme Court now has to be appointed by the President on the recommendation of the National Judical Council, subject to the confirmation of such appointment by the Senate; thereby making

the process more politically inclined and easier to manipulate to suit the whims and caprices of the political class. This has led to a situation in which many extraneous conditions have crept into the appointment of judges so much so that people who engage in the business of buying and selling have been appointed judges to satisfy geographical spread. There have been instances where such inexperienced and unqualified Judges adjourn ex-parte motions because the other party has not been served. A ridiculous development because an ex-parte motion is not served on the other party!

There are some other cases where, due to inexperience, a Judge would award cost against one of the defence lawyers in a Civil case in a judgment written in his Chambers without hearing the lawyer. Even a 100 Level Law student knows parties must be heard before costs are awarded!

Comparatively, in some states in the United States of America, the appointment of judges is not totally in the hands of either the Governor or the legislature, but in the hands of the electorates. For instance, in Pennsylvania, an election was held on May 18, 2021 whereby judicial hopefuls were elected into office through partisan, state-wide elections, rather than being selected on merit by the Judicial Commission, or by the governor or legislature.

At the moment, appointment to the Nigerian Bench is seen by many as an easy way out from the demands of private law practice. Some even aspire to the Bench to enjoy the perquisites of judicial office without giving adequate thought to the demands and responsibilities of the position. It is for this reason that I advocate for the appointment of judicial officers from Senior Advocates of Nigeria, just like in the United Kingdom where members of the Queen's Counsel may be appointed as judicial officers. The time has come when successful SANs should be invited to the Bench thereby increasing the number of highly competent and seasoned layers on the Bench.

This reminds me of Mrs. Safiya Badamasi Umar of Katsina State who was conferred the rank of Senior Advocate of Nigeria in 2019, and was sworn in as a Judge of the Katsina State High Court in 2020. The Nigerian Judiciary certainly needs more judges to be appointed from Senior Advocates. However, for this to be so, there needs to be the conferment of more Senior Advocates and, in

addition, more has to be done with regard to the remuneration of judicial officers. I will discuss more on the subject of remuneration shortly.

8. Poor Remuneration of Judges

Before and shortly after independence, remuneration of Judges in Nigeria was at par with the remuneration of Judges in England. However today, the salaries of Nigeria judges when compared with the salaries of their counterparts in other countries are to say the least miserably low.

We all know that time it was when N1 exchanged for One Pound Sterling. That was the time the Naira was even stronger than the American Dollar. It is a notorious fact today that the Nigerian Naira has nose-dived to as much as low as N560 to a $1 and N700 to One Pound Sterling. If you then compare the salary of a Nigerian Judge to that of his counterpart in England, the salary of the Nigerian Judge is ridiculously low and probably not higher than that of a Cleaner in the office of a Judge in England.

Salary wise, the total emolument of Judges in Nigeria including those of the Supreme Court is nothing to write home about. An investigation by Leadership Newspaper revealed last year, that the salaries of Judges have not been increased in 12 years. A report published by the Daily stated as follows:

> "…investigation revealed that the remunerations of judges at both the Federal and State levels have remained static for 12 years and that there is no indication that the situation will be addressed soon… A compilation of the annual remunerations of all the 1,067 Judges in Nigeria revealed the sum of N8.7billion, the least earned by any of three arms of government. The figure is also, a sharp contrast of the N24billion voted in the 2019 budget as severance package for members of the outgoing 8th National Assembly members…the last time the Judges' salaries and allowances were increased was in 2007 following the enactment of the "Certain Political, Public and Judicial Office Holders (Salaries and Allowances, etc) (Amendment) Act of 2008" which came into force on February 1, 2007…From that time till date, there has not been an upward review of the earnings of Judges, the sources said…the CJN's Annual Basic Salary is N3,353,972.50 (or N279,497.71 monthly),

while other Justices of the Supreme Court and the President of the Court of Appeal receive N2,477,110 as Basic Annual Salary or N206,425.83 monthly…The Justices of the Court of Appeal, Chief Judge of the Federal High Court, Chief Judge of the Federal Capital Territory (FCT) High Court and President of the Industrial Court, Grand Khadi of State and FCT Sharia Court of Appeal, President FCT and State Customary Court of Appeal earn Annual Basic Salary of N1, 995,430.18 each…Also, Judges of the Federal, State and FCT High Courts, National Industrial Court, Khadi Sharia Court of Appeal in the FCT and State; and FCT and State Customary Courts also earn an Annual Basic Salary of N1,804,740 each.

In a cross-country appraisal of the salaries of Judges, LEADERSHIP discovered that the salaries and purchasing power of Nigeria Judges and their counterparts abroad and even in some African countries are wide apart. For instance, in the United State of America (USA), while the Chief Justice John Roberts earns $255,500 (or N118, 807,500) per year, the eight Associate Justices earn a healthy pay raise to $244,400 (N113, 646,000). The current salary for the US Supreme Court Justices is significantly higher than the average salaries earned in related occupations.

The President of the Supreme Court, Lord Chief Justice of Northern Ireland, Lord President of the Court of Session and Master of the Rolls make up Group 1.1 of the scale on £214,165 (N128,070,670), below only the Lord Chief Justice of England and Wales, who earns £239,845 (N143,427,310).

In South Africa, according to the latest report of the Independent Commission for the Remuneration of Public Office Bearers, chaired by Judge Willie Seriti, the Judges in the High and Labour Courts earn annual salaries of R1.4-million (or N46.9million).

Judge-presidents (heads of court) pocket R1.6million (N53.6million) a year, Constitutional and Supreme Court judges get R1.7-million (N56.9million and the chief justice earns R2.3-million (N77million). The package of the president of the Supreme Court is just over R2million a year."

With the above scenario, it is clear that the Judiciary does not enjoy the pride of place it should within the Nigerian governmental landscape. Such poor emoluments cannot safeguard its independence. Unless we seriously address the issue of remuneration of Judges, no successful Senior Advocate would abandon his lucrative practice to serve as a Judge with the present paltry salary.

It is my view that the conditions of service of Judges including salaries, provision of vehicle, maintenance and fuel, Personal Assistant, hardship allowance, domestic staff, entertainment, utilities, outfit, leave allowance and newspapers, must be attractive and satisfactory.

Today, there are judges and magistrates living in rented apartments, there are also others or those without personal/ official car as a result of which they are compelled to use public transport.

Imagine the case of a chief magistrate who wanted to board a public transport, a passenger in the same vehicle told him "Sorry my Lord, I have paid your transport fare". However, it turned out that the generous passenger was in fact standing trial before him. The embarrassment could have been avoided if the Judge had his personal car.

Imagine another case where a judge was living in a rented house owned by an absentee Landlord. A case came before him where his absentee landlord was charged with a criminal matter. In the course of proceeding, he found out that the person charged was in fact his landlord. He could have been saved the embarrassment if he was living in Government quarters.

9. The Relevance of Pupillage in the Practice of Law

I dare say that it is a peculiar practice in this country to see a lawyer who has just been called to the Bar to open a one-man Law Office and install a signboard of XYZ Co Solicitors and Legal Practitioners. It is an acknowledged fact the world over that experience is the best teacher. As I said earlier, it is not enough to learn the theories of Law and jump into practice. The consequence is that many of the new wigs who open offices after being called to the Bar end up as poor lawyers. They are the ones often seen with

their wigs and gowns rolled up and riding Okada. This certainly is not good enough for the image of the Law profession.

As I said earlier, Law is a highly honorable profession. Like in any serious profession and vocation, there is need for pupillage for new entrants into such professions and vocations. This will enable the new entrants to understudy the experienced ones in such professions and drink from their fountains of knowledge and experience. We always have a lot to learn from the success stories of those before us.

Pupillage has been defined as the state of learning, being a student, or a period of undertaking a learning process. It is the final step towards qualification as a barrister in England and Wales. A period during which a lawyer trains to become a barrister by studying with a qualified barrister or the system which allows this training. 1It has also been defined as apprenticeship to a member of the Bar, which qualifies a barrister to practice independently.
Pupillage is the accepted practice in the United Kingdom and some parts of Canada. It has been the practice in the United Kingdom for over a century. This pupillage last for 12 months in the United Kingdom and up to 18 months in Canada. The aim of pupillage in countries that require this before a person is permitted to practice law is to ensure thoroughbred professionals in the legal profession and not allow new wigs to set up law offices, make teething errors or mislead clients. The intent is to protect and preserve the legal profession.

The Legal Profession Regulation Bill at s.86 creates room for compulsory pupillage for lawyers who are newly called to bar.

It states that,

> "From the date of commencement of this Act, every person called to the Nigerian bar shall undergo a mandatory pupillage for two (2) years in the office of an experienced legal practitioner in active practice or a law firm with the requisite facilities to give such training as required during the pupilage period".

Whilst this provision proposes a much-needed solution to the grooming of legal practitioners, the time frame, accreditation procedure among other challenges need to be addressed for this

not to become a bottleneck hence destroying the real intent and purpose of pupilage.

The challenges of legal education cannot be restricted to a single focus solution. A review of this provision to limit the time frame is recommended as well as the modus operandi for the pupilage needs be worked out by the Council for Legal Education, Nigerian Bar Association and Nigerian Universities Commission as this may in turn lead to a reduction in the number of years that law students spend in the University.

The Legal Profession Regulation Bill, states that "every person called to the Nigerian bar shall undergo a mandatory pupillage for two (2) years in the office of an experienced legal practitioner in active practice or a law firm with the requisite facilities to give such training". The question arises as to what the yardsticks will be for determining who an experienced legal practitioner is and what facilities will be sufficient as requisite for training of legal practitioners. The accreditation process may give room to a wieldy unending procedure that might unearth a can of worms, exposing the existing rot in the legal profession in the name of law firms without any regulation or control. It should be noted that these unaccredited law firms are the current training grounds for the compulsory four-week law office/ chambers attachment for students of the Nigeria law school which is the closest semblance of pupilage that currently exists.

10. Proliferation of Universities and Usurpation of the Powers of NUC in the Establishment of Universities

I wish to address the all-important issue of illegal universities in Nigeria which also issue illegal certificates. Section 21 (4) of Education (National Minimum Standards and Establishment of Institutions) Act, Chapter 3 of 1985 provides that: "Notwithstanding anything to the contrary but subject to the provisions of the Constitution of the Federal Republic of Nigeria, 1999, it shall be unlawful for any person or group of persons (whether corporate or unincorporated) in any part of Nigeria to establish or run a university or any form of degree-awarding institution either independently or in conjunction with any university or institution within or outside Nigeria for purposes of awarding degrees without the approval of the National Universities first sought and obtained".

Today, there are 49 Federal, 57 State and 99 Private Universities in Nigeria. Despite the stringent conditions put in place by the appropriate authorities, Nigeria has as many as 57 illegal universities. This is undoubtedly worrisome. Hitherto, Nigerians were accustomed only to incidents of fake clothing, drugs and food products. But it would appear the cankerworm of faking has crept into schools and universities to the extent that the NUC recently released a list 57 of such illegal universities. From the list published on the website of the NUC, these illegal entities, with such curious sounding names like Pebble University, Bolta University College, Aba and one University of Industry, Yaba, Lagos, were located in virtually all parts of the country.

With the large no of illegal universities, I am worried about the irreparable damage these illegal institutions and their operators are doing to millions of students, their parents and education in the country.

Contrary to the law in recent times, members of the National Assembly would move motions for the citing of universities in their Constituencies, apparently to give the impression that they are giving back to their Constituencies. This is not right because the existing Federal and State Universities are poorly funded and yet members of the National Assembly are contrary to NUC law establishing one-subject universities which often fizzle out immediately they are out of power and relevance.

Unfortunately, many of these political universities start with Law programmes even when the older ones are not properly funded or sufficiently equipped to turn out good law graduates.

The NBA is hereby advised to wade in and ensure that only universities which have turned out quality graduates for five years are given Law Programmes. This is one of the major reasons why the country produces poorly trained Law graduates.

11. Conflict Between Professional Bodies and NUC On Students' Quota

As stated earlier, the only legal Body authorized to establish a university is the National Universities Commission. The NUC is also the only Body that has powers to authorize the subjects to be taught and the number of students to be admitted for any particular programme. The increase in the number of students to

be admitted depends on the performance of the institution which will be after due accreditation.

However, Professional Bodies like ICAN, CIBN, MDCN, NAMCN, COREN, NSE and Council of Legal Education have usurped the statutory powers of the NUC. This has led to a situation whereby NUC would increase students' quota to 100 for instance and the Professional Body will reduce it to 60 or 70.

It is my humble view that Professional Bodies have no legal right to increase or reduce any quota given by NUC. The duty of the Professional Bodies ends at ensuring that individual universities comply with their professional advice in their respective professions. So, this unwholesome conflicting directives from the two Bodies must be harmonized. This is another issue which I believe this summit would consider

12. A New Truly Federal Constitution and Parliamentary System of Government

I have identified many of the problems afflicting the Bar. However, there is a critically important issue which needs urgent resolution without which all the problems already identified will be difficult to resolve.

We are all witnesses to the fact that the root cause of the various problems afflicting Nigeria today and by extension, the Bar, is the 1999 constitution which the military foisted on us when it was ousting governance in 1999.

A reasonable person would always ask for the cause of any particular problem. In 1950's and 1960's when we were studying for Cambridge School Certificate, one examination question that usually came up was: "What is the mediate and immediate cause of the American War of Independence?"

I must say, once again, that the NBA, under the leadership of Olumide Akpata, Esq, as President, has performed very well. Hence, he has set up this Summit to "examine the journey so far in the development of the legal education system in Nigeria and to chart the course for a desirable future built on pedagogical innovation and transformative development".

In order to find a concrete and lasting solution to our problems as a people, this Summit should identify the root cause of the

numerous problems afflicting the country which by extension are afflicting the Bar.

I recall that as a lawyer, most of the lucrative cases which I handled were in Lagos, Port/Harcourt, Jos, Makurdi, Maiduguri, Kaduna and Ilorin. Then, I used to leave Ibadan, my base, by 6 a.m and I would be at the High Court at Igbosere on Lagos Island before 9.00 a.m. Similarly, I would leave Ibadan by 12 midnight on my way to Benin or Ilorin to be in court the following morning. I remember one day when I left an Election Tribunal in Jos by 5 p.m and I drove straight to Port-Harcourt and I appeared in court the following morning at 9.00 a.m.

I had clients all over the country, including Alhaji Mai Deribe, one of the richest Nigerians, in far-away Maiduguri in the present-day Borno State.

Unfortunately today, most lawyers are restricted to their locality. Why? We all know the answer: It is the 1999 constitution imposed on us by the military which they claimed is a people's constitution.

I am happy that there is a case in court now claiming that the 1999 constitution lied against itself in that it is not a people's constitution as claimed by the military and should therefore be declared null and void.

I have written several Articles and delivered several Lectures, including the one I delivered as far back as November 4, 2001, in Port/Harcourt at the First Memorial Lecture of His Majesty, King Abbi Amachree IV, the Amanyanbo of Kalabari, advocating for a new people's constitution to replace the 1999 constitution foisted on Nigeria by the military. In specific terms, I advocated for a return to the 1960 and 1963 constitutions, with some modifications, which were true federal constitutions based on Parliamentary system of government. The 1960 and 1963 constitutions were more representative of the country inhabited by more than 400 ethnic nationalities with different languages, cultures and religion.

Since 2020, I have gone further to advocate that there should be no election in Nigeria unless a new constitution is put in place to ensure that Nigeria does not recycle failed leaders again.

My suggestions, which have been adopted by many top Nigerians, have unfortunately fallen on deaf ears. This is principally because those benefitting from the rot inherent in the 1999 constitution are currently angling for the conduct of another round of elections.

If, and God forbids, a new election is conducted under the 1999 constitution, we are going to have a recycling of the same failed leaders which have brought this country to the sorry state we are now.

The President of the Bar, Ladies and gentlemen, the Bar remains the watchdog of the people. As a Body, this Summit should seriously consider the issue of true federalism which will ensure the entrenchment of the rule of law whereby all the problems I have chronicled above can be addressed permanently.

13. Uniqueness of ABUAD

When I was the Pro-Chancellor of University of Lagos between 2001 and 2007, I saw with my naked eyes the rot and decay in our education system. I carried out massive reformation and won the award as the best Pro-Chancellor twice. In 2008, I decided to establish this University to be "an example" of how a University should be run.

The College of Law, Afe Babalola University, Ado Ekiti (ABUAD) is a product of my vision of how a 21st century university should be.

We provide world-class legal education in a most suitable learning environment. This is clearly reflected in our level of investments in human and material resources.

The College is unique and provides very practical, rigorous, and exciting legal education in an environment that guarantees academic and leadership excellence.

The core of our uniqueness lies in the peculiar planning and facility which include the followings:

1. The College of Law ABUAD is the first College of Law in Nigeria to enjoy the rare privilege of being established in a

specially built Law College within 3 years of the commencement of academic work.

2. Our investment in ICT is unparalleled. We have invested heavily in ICT and have acquired electronic interactive boards for lecture rooms and the Auditorium, an E- law library which integrates the LexisNexis Academic On-line Library with the CompuLaw© digital library and other web resources backed by reliable wi-fi for easy browsing.

3. The traditional physical library is extensive with rare holdings in law reports and journals from Nigeria, England, USA, Canada, South Africa, India and Australia. In combination with the E-Library, research on any conceivable legal issue, local or global, can be carried out right from the College of Law. All library resources are available for use between the hours of 8 am and 9pm daily.

4. The College parades an array of carefully selected experienced academic staff with the right mix of both teaching and renowned practicing lawyers and jurists (including the Founder) who have distinguished themselves in their various areas of specialisation and on the bench. This ensures that the students do not merely learn legal theories but combine it with a practical knowledge of the law.

5. The College is the first to commence a Student Work Experience Scheme (SWES) in Nigeria and this programme enables the students to experience legal practice in a real law office while still studying as undergraduates, this is achieved through attachment of our students to law offices and courts during their summer holidays and is for the 200 level to the final year students.

6. The college has also introduced a special course titled: Introduction to Legal Practice. It is a unique course that establishes a solid foundation in legal practice and law office management for the students and it is designed to test the knowledge acquired from the student work Experience Scheme.

7. Programmes: The College also maintains a structure which is equally unique and comparable to none in Nigeria. Presently the College offers LL.B, LLM, and PHD programmes.

8. Moot Court: The College has a fully furnished and fully equipped 200 seater moot court which is regularly used for practical training and is second to none in the country.

9. 7-9 pm Tutorials: The College introduced the 7-9pm tutorial classes to assist students to maximise their study periods and to make the most of the facilities here in ABUAD. During this period, students are allowed only into the classrooms or the library and cannot visit any office.

10. The Learning Management System (LMS): The College of Law utilises the learning management system which is a platform that enables seamless communication between students and their teachers. Courses can be taken on the LMS and Assignments and seminars can be submitted through the LMS.

11. E-learning and Mixed Learning: The College offers a mix of physical activity and E-learning platforms. This enabled the College and the entire University to maintain a stable Calendar during the Covid-19 lockdown periods. This advantage of this System was clearly seen when many universities that could not manage the situation had their academic calendars distorted.

12. Language Courses: Students of the College of Law at ABUAD must study some local languages and foreign languages as institutional requirements.

    The available foreign languages are:

    a. French, and;
    b. Chinese (Mandarin).

    The local languages are:

    a. Hausa,
    b. Igbo, and;
    c. Yoruba.

13. All Law students enjoy the opportunity to become Associate Members of the Nigerian Institute of Chartered Arbitrators NICArb, or the Institute of Chartered Secretaries, or the Institute of Chartered Accountants of Nigeria (ICAN) and interested students can take courses leading to these memberships and are inducted into the various bodies upon graduation.

In 2008 our University presented 165 students for the Bar Final Examination in the Law School, Abuja.

i. ABUAD scored 100% pass
ii. The best overall student was from ABUAD
iii. There were 36 prizes, ABUAD received 24 prizes out of the 36 prizes
iv. The VC of U.I commented as follows:

> The Private Universities accounted for a total of 20 First Class and they came from 5 different institutions.
>
> Afe Babalola University, Ado-Ekiti (ABUAD) a private university established less than 10 years ago, is clearly a star, with their outstanding performance of having a dozen First Class. This is what you get when there is strategic investment in human and material resources for which we warmly congratulate the Founder and Proprietor, Are Afe Babalola, SAN.
>
> Some of the people in public universities, both staff and students, have the habit of dismissing the private universities. This is not supported by hard and empirical facts as seen in the example of Afe Babalola University. ABUAD has clearly distinguished itself as confirmed by this league table of performance at the Nigerian Law School.

v. NUC has described ABUAD as the "best Law College in West Africa".

13. Summary

- Law is a dignified and honourable profession. It is as old as human history
- The Legal profession, was imported from England. The standard of legal practice in Nigeria before the military take-over was at par with the standard of legal practice in England.
- However, things have since changed for the worse because of the problems afflicting Nigerian as well as the peculiar ones affecting the Law profession
- Quality and functional education has been badly affected by poor funding. Successive Nigerian governments have not been

able to meet UNESCO's minimum recommendation of devoting 26% of Nigeria's annual budget to education.

- Minimum entry qualification into Nigerian universities should at least two papers at GCE Advanced Level or HSC and five Credits at Ordinary Level instead of the present practice of making Senior Schools Certificate Examinations (SSCE) or the GCE Ordinary Level the minimum Entry requirement.
- There should be a Central Law School. It will accredit universities which have reputable Law Colleges to train graduate Lawyers for 12 months. It will supervise the accredited Universities. It will provide curricula for the training for Law graduates who want to be lawyers and set final examinations for students who would be called to the Bar. Students will take a common examination moderated by the Central Law School. Under this arrangement, the problem of paucity of funding, poor facilities and inadequate accommodation space would have been solved.
- Because Law cuts across all professions, there is need for would-be lawyers to combine legal knowledge with other forms of expertise such as Economics, History, Mathematics, Latin, French and Chinese etc.
- All applicants found appointable for SANs should be appointed every year without leaving anyone for the following year. The practice of limiting the number of lawyers to be appointed SANs over the years has led to a huge backlog of appointable but unappointed legal practitioners
- There is still a lot to do to guarantee the independence of the Judiciary.
- The practice of inviting applications for the appointment of Judges must stop forthwith. We should borrow a leaf from England by inviting eminent SANs to the Bench at High Court, Court of Appeal and Supreme Court levels. If people who qualify to be made SANs are not restricted in number, we would have enough SAN to be appointed high court judge thereby increasing and improving quality of judges and reducing corruption.

- The conditions of service of Judges including salaries, provision of vehicle, maintenance and fuel, Personal Assistant, hardship allowance, domestic staff, entertainment, utilities, outfit, leave allowance and newspapers, must be attractive and satisfactory. Their salaries and other emoluments should be the same with their counterparts in England.

- There is need for pupillage for new entrants into such professions and vocations. This will improve the standard of practice of junior lawyers.

- To checkmate the proliferation of universities and usurpation of the powers of NUC in the establishment of universities, the NBA is hereby advised to wade in and ensure that only universities which have turned out quality graduates for five years are allowed to run Law Programmes.

- Professional Bodies have no legal right to increase or reduce any quota given by NUC. The duty of the Professional Bodies ends at ensuring that individual universities comply with their professional advice in their respective professions for the student quota approved by NUC. The unwholesome conflicting directives from the two Bodies must stop. This is another issue which I believe this summit would consider.
- There should be no election until the 1999 constitution is replaced with a true federal constitution and a Parliamentary system of government. Otherwise, there will continue to be a recycling of failed leaders who have brought this country to the sorry state it is today.
- Universities aspiring to start Law Programmes should emulate Afe Babalola University whose Law College has been acknowledged by NUC as "a model, benchmark and reference point."

2. CONCLUSION

In conclusion, ladies and gentlemen, it has been said (with some justification), that the legal profession is a conservative profession. Respect for tradition and the order of precedent are special glues that bind the participants in the noble profession together.

We will be erasing the rot and decay in Legal Education if we keep our mind on the objective, not on the obstacle. Let us not carry the mistakes of the past around with us. Let us place them under our feet and use them as stepping stones. The assignment before us is a joint one for the NBA, CLE, Body of Benchers, Law Students, Paralegals and all of you in this Hall today. I therefore urge everyone to roll up his/her sleeves in the process of having the Legal Education of our dreams. It is up to all of you; small and

big, old and young, experts and non-experts alike. I have the fullest confidence in the ability of all of you to move mountains. It is said, where there is a will there is a way. The starting gun has now been fired. The race towards the finishing line for the actualization of a legal profession of our dream, expectation and aspiration begins now. We will get there if we work with determination and as a team.

With these few remarks, I welcome you to this all-important Summit and wish a beautiful outing. I thank you profoundly for the opportunity given me to deliver the Keynote Address. I hope that I have not bored you too much. If anybody is offended by any of my remarks, I offer no apology as I enjoy absolute privilege to express my opinion under Section 39 of 1999 Constitution of the Federal Republic of Nigeria as amended.

Thank you.