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Legal Education in Nigeria

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carry detailed discussions further, and at the same time bring in experts from the parts of Africa not under the common law, may be held. Such a Conference might be held in Africa under the auspices of the recently-founded International African Law Association.

#### LEGAL EDUCATION IN NIGERIA

FEDERATION OF NIGERIA: *Report of the Committee on the Future of the Nigerian Legal Profession.* Lagos, 1959.

The setting up of this Committee, under the chairmanship of the Attorney-General of the Federation, Mr. E. I. G. Unsworth, C.M.G., Q.C., was reported at [1959] J.A.L. 84. The Committee has now reported.

The recommendations of the Committee may be summarised as follows:

(1) The legal profession in Nigeria should continue to be fused, and practitioners should be entitled to practise both as barristers and solicitors. "At the same time a system of legal education should be organised in a manner that will provide instruction in the work normally performed by a solicitor as well as a barrister."

(2) Nigeria should establish its own system of legal education, and on the establishment of such a system the existing qualifications (*e.g.* call to the English Bar) should no longer by themselves be qualifications for admission to practice in Nigeria, though they should be taken into account for the purpose of exemption from some of the subjects for the Nigerian examinations.

(3) A Faculty of Law should be established at University College, Ibadan, though it is hoped that faculties of law will be established at other Nigerian universities (one will also probably be established at the new University at Nsukka).

(4) The Committee give detailed suggestions for the content of the syllabus for a degree in law (*cf.* Appendix E of the Report). The course proposed is a three-year one; and, apart from specifically Nigerian subjects such as "Nigerian Constitutional Law", "Jurisprudence and Application of Nigerian Customary Law", "The Nigerian Legal System", other subjects will be taught with special reference to the law of Nigeria.

(5) A law school, to be known as the Nigerian Law School, should be established at Lagos for practical training and examination in certain subjects; a one-year course in book-keeping, conveyancing, procedure, and professional conduct and etiquette, would be given.

(6) The qualification for admission to practise law in Nigeria would be the examinations for a degree in law at any University in Nigeria whose course for that degree was recognised by the Nigerian Council of Legal Education, and the course of practical training and examinations prescribed by the Council.

(7) A Council of Legal Education should be established; this Council should consist of the Chief Justice of the Federation, the Attorneys-General of the Federation and the Regions, the Chairman of the Nigeria Bar Council, the heads of the faculties of law recognised by the Council; the head of the Nigerian Law School; two

members of the Bar nominated by the Nigeria Bar Council; two persons who hold or have held judicial office nominated by the Chief Justice of the Federation.

(8) A student who has taken certain qualifications outside Nigeria (*e.g.* a law degree, the examinations for call to the Bar in England, the Law Society's examinations in England, etc.) may be exempted from subjects which the Council of Legal Education consider have already been adequately covered.

(9) The Chief Justice of the Federation shall admit as a legal practitioner any person who satisfies him:

- (a) that he has obtained from the Council of Legal Education in Nigeria a certificate that he has, subject to the recommendations relating to exemptions, passed the necessary qualifying examinations; and
- (b) that he is a person of good character.

The Chief Justice should have a discretionary power to admit counsel from other countries to appear in particular cases. As regards reciprocal arrangements the Committee advocated caution, but recommended that there should be a discretionary power to admit to practice in Nigeria legal practitioners of a specified country of not less than five years' standing, on condition that such practitioners take such examinations in Nigerian constitutional and local law as the Council may prescribe and that comparable provisions for the admission of Nigerian practitioners exist in that country.

The Committee also made many recommendations on discipline and codes of professional conduct. A new non-statutory "Nigeria Bar Council" has now been constituted by the Nigeria Bar Association; the Bar Council is elected from the members of the Association. The Committee warmly endorsed this step, and thought that the establishment of such a body was more in keeping with the independence of the profession than a body created by statute which could be amended at any time by the legislature. The Report recommends that a disciplinary committee of the Nigeria Bar Council be established in order to investigate complaints against members of the profession. If the committee thought there was a *prima facie* case, the complaint could be referred for hearing to a disciplinary tribunal composed of judges and practitioners.

Altogether this is an admirable Report, which provides for the emergence and orderly development of a system of legal training in Nigeria (there is none at present). One can only hope that the Report will be speedily implemented.

#### LEGAL EDUCATION IN GHANA

The International Advisory Committee on Legal Education in Ghana has now reported. (The Committee consisted of Professors L. C. B. Gower, University of London; Zelman Cowen, University of Melbourne; Arthur A. Sutherland, Harvard Law School.) The Committee recommended, *inter alia*, that:

(1) Except in special cases a degree in law should be the first essential qualification for admission to the Bar of Ghana. As a