

## NIGERIAN BAR ASSOCIATION *CHALLENGES AND PROSPECTS* *(Abridged Version)*

### 1. INTRODUCTION

The Nigerian Bar Association (hereinafter referred to as “the Association”) is a Professional body of lawyers called to the Nigerian Bar as Barristers and Solicitors of the Supreme Court of Nigeria. It was officially recognized by Law in 1933. The Legal Profession as known today barely existed at that time; Lawyers were generally sole Practitioners who more often than not, trained under a system of apprenticeship. It was an era where there was no National code of ethics and no National Organization to serve as a forum for the discussion of increasingly intricate issues of Legal practice. The Association in contemporary time is responsible for the regulation of the conduct of the Legal Profession and is dedicated to serving her members. As a highly vigilant, strong, committed and disciplined Bar, it ensures that the hard earned independence of the Judiciary is not compromised or diluted. The Bar is also indispensable in protecting and safeguarding the rights of citizens and seeking redress for wrongs inflicted upon and grievances suffered by them.

### 2. CHALLENGES

It is worthy of note that, the Legal Profession is on the brink of a fundamental change and the Association is not left out of this change. These changes range from the transition from military dictatorship to effective democracy and the ever-changing world of Information and Communication Technology (ICT), to mention but a few. As the world draws closer to being a global village, becoming increasingly interconnected via Information and Communication Technology (ICT), the Association like other

segments of the Nigerian society has to adapt to the changing world.

This new inter dependence places new demands on lawyers to operate flexibly and fluidly using digitized mediums to acquire skills and knowledge as regards the digital world.

One of the challenges this poses is that the future market for legal services is increasingly unlikely to tolerate expensive lawyers for tasks like (guiding, advising, drafting, researching, problem solving, etc.), that can be equally or better discharged directly or indirectly by smart systems, machines and processes. Lawyers can overcome this challenge by identifying their distinctive skills and talents, the capabilities that they possess that cannot be replaced by advanced systems supported by technology or by lay people armed with online self help tools.

Likewise, as with other aspects of the Legal Profession, legal education is also shifting from the traditional methods of teaching to more innovative approaches. Among these approaches is the development of distance learning, which is learning via the internet. The Association cannot and should not be left out from imbibing and adopting the method of distance learning for the Continuing Legal Education Programme.

Furthermore, with the advent of the electronic age, practitioners should not feel exempted from assessing whether at least some of their current workload might be undertaken differently in years to come. Likewise no lawyer should avoid the challenge of identifying his distinctive capabilities and improving on it. There is the need for a move from being defensive as regards the advent of the electronic age to being proactive and thinking more creatively, imaginatively and entrepreneurially, about the way by which lawyers can contribute to our rapidly changing economy and society.

In the same vein, another challenge would be, having the ability not to dwell too deeply on how the advent of Information Technology might threaten the current work of lawyers, (in order to protect the traditional ways of practice) but to find and embrace better, quicker, less expensive, more convenient and publicly valued ways of working.

Another challenge faced by the Association pertains to promoting the Rule of Law in our

political environment. The recurring decimal in our political system has always been flagrant disobedience of Court Orders and Judgments by some Government Agencies and a total disregard for due process in certain activities of the Government. This ugly trend strikes at the root of our democracy, erodes and threatens the very foundation of our Justice system and the integrity which the Judiciary has fought hard over the years to establish.

The Association in an apparent response to the continuous disregard for Court Orders embarked on a Court boycott which lasted two days from the 13<sup>th</sup> to the 14<sup>th</sup> of March 2006, to protect the Rule of Law, awaken the slumbering conscience of the Nation by giving it a feel of what it means for a Nation to be without Courts, thereby underlying the importance of the role of the Judiciary in advancing the Nation.

The Motto of the Nigerian Bar Association is "Promoting the Rule of Law". For an effective fulfillment of this mission, it is imperative that the Association acts and speaks with one voice. It is thus imperative to preserve the oneness of the Association and act in close co-ordination to make the system responsive to the needs of the people. The Association should aim at strengthening the Rule of Law and standing against injustice anywhere and in any form.

Another challenge that faced the Nigerian Bar Association in entrenching the Rule of Law and Democracy in Nigeria was the unprecedented violation of Constitutional provisions as regards the removal of some State Governors by their States Houses of Assembly. The Association rose up to the challenge and in a very bold move, condemned and pronounced the impeachment and removal of the said Governors as unconstitutional. The stance that the Association took was vindicated by the Supreme Court of Nigeria when it declared the impeachment of the Governor of Oyo State null and void. The affected Governor was reinstated.

### 3. THE WAY FORWARD/CONCLUSION

i. ***The Nigerian Bar Association serves as vanguard to the Rule of Law initiative in Nigeria and Serves as a watchdog of Political Process in Nigeria.*** As a result of the Association's resolution and active crusade on the strict adherence and observance of the Rule of Law initiative, President Yar'Adua in his first address to NBA in

2007, expressed his administration's commitment to the Rule of Law, and further invited the NBA to support the process. It is our considered opinion, that both the Executive, the Legislature and the Judiciary do not lose sight of this vision and gear all efforts towards its actualization.

The Association has played and will continue to play a pivotal role in both monitoring and guiding the Political Process in Nigeria. The Association had a good input on the Electoral Reform Agenda submitted by Hon. Justice Lawal Uwais-led Committee, to the Presidency, for the reform of the Electoral Process.

#### ii. ***Mandatory continuing Legal Education-***

The Association is encouraged to vigorously continue pursuing the process it has put in place for mandatory continuing Legal Education, aimed at professional development. NBA is in partnership with various service providers to provide professional development courses to its members.

#### iii. ***Diversification of Interest via Sections of the Association.***

The Association in its bid to encourage diversification and professionalism, integrity and excellence, inaugurated three sections of the Bar, namely: Section on Business Law (SBL), Section on Legal Practice (SLP) and Section on Public Interest and Development Law (SPIDEL) whose pioneer and current Chairman is our Principal Partner Chief Gadzama. It is the Association's vision that these sections will respectively play vital roles in reforming the business law practice, widen the scope of legal practice and promote the role and application of law to Economic development and growth of Public Interest and Development Law in Nigeria.

# News

from the **Firm**

The firm wishes to announce the wedlock of Prince Chukwudi Oli, Counsel in Chambers, to former Miss Chinenye Okoye, which happy event took place on Saturday, December 12, 2009, at Abuja. Counsel and staff in our Chambers, congratulate the Couple and wish them a happy and fruitful married life.

In the bid to expand its horizon and provide access to justice, our Firm is proud to announce the opening of another office in Lassa, Borno State, the home town of our Principal Partner Chief Gadzama.

In the same vien, the Firm also wishes to announce the transfer of Miss, Patricia Omage and Mr. Jawur Uluba to the Lagos and Maiduguri Offices respectively.

## **BAR NEWS**

- 1. Nigerian Bar Association NEC meeting**  
**Date:** Wednesday, February 17 - Friday 19 February, 2010.  
**Venue:** Yola, Adamawa state.
- 2. African Regional Forum Conference**  
**Date:** Thursday, 25<sup>th</sup> - Friday, 26<sup>th</sup> March, 2010  
**Venue:** Cape Town, South Africa.
- 3. J-K Gadzama & Partners' Annual Lecture 2010.**  
**Theme:** Constitutionalism, Good Governance and Development.  
**Date:** Tuesday, 30<sup>th</sup> March, 2010.  
**Venue:** Transcorp Hilton Hotel, Abuja, Nigeria.
- 4. 5<sup>th</sup> Annual Business Conference of the Section on Business Law**  
**Theme:** Regulating the Business Environment in emerging markets.  
**Date:** Monday, 5<sup>th</sup> - Thursday 8<sup>th</sup> April, 2010.  
**Venue:** Abuja Sheraton Hotel and Towers
- 5. The Commonwealth Regional Law Conference, 2010.**  
**Date:** Thursday, 8<sup>th</sup> - Sunday, 11<sup>th</sup> April, 2010.  
**Venue:** Abuja, Nigeria.
- 6. Inter - Pacific Bar Association, 20<sup>th</sup> Annual Conference.**  
**Date:** Sunday, 2<sup>nd</sup> - Wednesday, 5<sup>th</sup> May, 2010.  
**Venue:** Singapore.
- 7. International Bar Association (IBA) Conference.**  
**Date:** Sunday, 3<sup>rd</sup> - Friday, 8<sup>th</sup> October, 2010.  
**Venue:** Vancouver, Canada.

## ***PHOTO NEWS:***

### **50<sup>th</sup> Years Post Call Celebration of Chief Chike Ofodile, SAN, at Onitsha, Anambra State**



*From left to right, Mr. Rabana Lawan, SAN; Chief Rotimi Akeredolu, SAN; President, NBA; Chief Chike Ofodile, SAN, OFR, (Celebrant); Chief J-K Gadzama, SAN; Prof. Ilochi Okajor, SAN and I. F. Chude, Esq; at the occasion.*

### **Pictures from the just concluded 2009/2010 Legal Year Celebration, held at the FCT High Court**



*Hon. Attorney General of the Federation and Minister of Justice, Chief Michael Aondoakaa, SAN, Chairman NBA Abuja, Abdul Ibrahim, Esq, Chief Awomolo, SAN, Chief J-K Gadzama, SAN, Dr. Alex Izinyon, SAN, Chief James Ocholi, SAN, I.O. Olurundare, SAN, Chief Awal Kalu, SAN.*

### **Conferees at the just concluded NBA Legal Services Trade Mission to the United Kingdom in London.**



*From Left to right, Seno Bangbose (Mrs.) of J-K Gadzama & Partners, Lucy Hicks of the Law Society of England & Wales, Mrs. Funke Adekoya, SAN, Nigerian High Commissioner to the UK, His Excellency Dr. Dalhatu Sarki Tafida, OFR, Mrs. Boma Ozobia.*

**Photos from the NBA-Section on Public Interest and Development Law (SPIDEL), Maiden Annual Dinner, held on Thursday, December 17<sup>th</sup>, 2009 at Transcorp Hilton Hotel, Abuja.**



R - L, Prof. Osetimehin, Chief J-K Gadzama, SAN, Chief Duro Adeyele, SAN, Alhaji Hamza Kurfi, Representative of the Governor of Katsina State, Alhaji Ibrahim Shema, Dr. S. S. Ameh, SAN, and Miss Hauwa Shekarau, FIDA representative.



R - L, Paul Erokoro, SAN, Chief Duro Adeyele, SAN, Chief Amaechi Nwaiwu, SAN, Chief J-K Gadzama, SAN, and Mr. Chukwuma Ekomaru.

**Photos from the "Child Rights' Act" Workshop of the Section on Public Interest and Development Law (SPIDEL) in Uyo, Akwa Ibom State on the 1<sup>st</sup> of December, 2009.**



Mrs. Maryam Uwais, Chief J-K Gadzama, SAN, Hon. Justice Idongesit Ntem-Isua, Chief Judge of Akwa-Ibom State.



L-R Chief Duro Adeyele, SAN, Chief J-K Gadzama, SAN, the Chairperson Young Lawyers Forum NBA Uyo Branch, Obong Iniabasi Udobong & Prof Bolaji Owasanoye.

**Wedding pic of Prince C.P. Oli.**



L-R, Miss. P. Omege, Uluba Jawur, Esq, Alhaji R.O. Yusuf, Managing Partner of J-K Gadzama & Partners C.P. Oli, and his Lovely bride, former Miss Chinenye Okoye, A.C. Ozioko, Head of Chambers, D.H. Bwala Esq, and O. M. Atoyebi, Esq, at the wedding ceremony of Mr Oli and Miss Okoye, on December 12, 2009.

**PARTNERS IN THE FIRM**

- (1) CHIEF JOE-KYARI GADZAMA MFR, SAN, FCI Arb.
- (2) PROFESSOR BOLAJI OWASANOYE
- (3) ALHAJI RASHEED O. YUSUF ESQ., ACI Arb.
- (4) LAWAN ABANA ESQ., ACI Arb.
- (5) TOYIN UKO, ESQ., ACTI
- (6) ABEL C. OZIOKO ESQ.

Established in 1989 JK Gadzama & Partners is one of Nigeria's leading law Firms with a diverse portfolio of public and private sector clients and national and international transaction experience.

**DISCLAIMER:** The information contained in this Newsletter is not legal advice. Please consult a lawyer for legal assistance.

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