

Pedagogical Renaissance: A Disquisition on the Changing Face of Legal Education in Contemporary Nigeria

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Abstract:

Legal Education in Nigeria has undergone radical transformations since its formal establishment in 1962. In this article, the authors present an expository discussion on the nature, history, structure, regulation, objectives and impact of legal education in Nigeria. The discourse begins with an examination of the conceptual foundations and a historical overview of the evolution of legal education in Nigeria, particularly exploring the multidimensional nature of legal education and key roles and contributions of central regulatory institutions and agencies, including the Council of Legal Education, the Nigerian Law School, the National Universities Commission, the Nigerian Bar Association, and the Body of Benchers, among others. The paper then proceeds to analyse both adjectival and substantive components of legal education, highlighting its socio-economic, ethical and professional significance. Employing descriptive and analytical research methodologies, the study evaluates the contributions of legal education to the development of the legal profession, law practice, law reforms, democratic governance, the rule of law, and the overall progress of Nigeria. While acknowledging that a pedagogical renaissance is underway, the authors advocate for a more robust and effective regulation and comprehensive re-imagining of Nigeria's legal education system to ensure a more effective alignment with prevailing global standards and international best practices. This study is foundational in nature, setting the stage for the second part of the discourse, which is dedicated entirely to articulating specific reform proposals and pragmatic strategies for addressing persistent challenges facing legal education in Nigeria.

Keywords: Legal Education; Legal Profession; Nigerian Law School; Council of Legal Education; Body of Benchers; NUC, Nigerian Bar Association; Pedagogical Renaissance; University; Nigeria

1. MEANING OF EDUCATION

Education has been variously defined as a process of teaching, training and learning, especially in schools, colleges or universities, to improve knowledge and develop skills;¹ as the process of receiving or giving systematic instruction, especially at a school or university; and as the act or process of imparting or acquiring general knowledge, developing the powers of reasoning and judgment, and generally of preparing oneself or others intellectually for mature life.² Britannica defines education to include any of three things, namely³ (a) the action or process of teaching someone; (b) the knowledge, skill, and understanding that you get from attending a school, college, or university; or (c) the field of study that deals with the methods and problems of teaching. It is thus reasonable to conclude that the term "education" may be used to describe the act of impartation of knowledge, the knowledge imparted through education, and a field of study dealing with expertise in teaching and learning. Education is a form of transmission of the values and accumulated knowledge of a society. Education brings about an inherent and permanent change in a person's thinking and capacity to do things.

2. MEANING OF LEGAL EDUCATION

Legal education means education of individuals in the principles, practices, and theory of law. Legal education refers to the formal training and academic programs that individuals undertake to become qualified legal professionals, such as lawyers, judges, and legal scholars.⁴ Legal education refers to the study and training of law, with the goal of preparing individuals for a career in the legal profession. It encompasses various aspects of legal theory, practice, and procedure, as well as an understanding of legal history and social context. Legal education is typically offered at post-secondary institutions such as law schools or faculties of law, where students can earn degrees such as a Juris Doctor (JD) or Bachelor of Laws (LL.B), depending on the

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country or jurisdiction. The purpose of legal education is to equip future lawyers with the knowledge and skills necessary to practice law effectively, uphold justice, and protect individual rights⁶, to prepare one to qualify as a lawyer.⁷ In Nigeria, the object of legal education is to prepare aspirants to the Nigerian Bar to qualify for Call to the Bar and enrolment at the Supreme Court after which such aspirants become Barristers and Solicitors of the Supreme Court of Nigeria with full right to practice law in Nigeria. The ends of legal education may differ from jurisdiction to jurisdiction. Example, in the United Kingdom, legal education leads to one becoming either a Barrister or a Solicitor, unlike in Nigeria where, upon successful completion of the process of legal education, one becomes qualified to be admitted into the Nigerian Bar as both a Barrister and a Solicitor of the Supreme Court of Nigeria. Thus, it is often said that in Nigeria, legal education prepares one to become a member of the legal profession. Every lawyer in Nigeria is a member of the legal profession. Meanwhile, regarding legal education, it is crucial at this juncture to examine the distinction drawn between the word “education” and the word “training”. In this regard, Bell has this to say:⁸

Training is concerned with providing a person with the knowledge and skills required to undertake a specific and immediate task. It is focused and utilitarian. The author explained that education is concerned with enabling an individual to understand and reflect upon knowledge and processes and to be able to act in a critical and responsible manner. It is concerned with critical self-awareness. The two are, in reality, on a spectrum between doing and being. They are also located in the spectrum between short-term and long-term development.

According to researchers, training entails development of specific skills while education provides a comprehensive foundation for learning.⁹ Training is skill-based, while education is more comprehensive and focuses on building a skill set.¹⁰ Education leads to the formulation of questions, reasoning, and clarity, while training improves skills and performance.¹¹ Education is about learning to know, while training is about learning to do.¹² However, the present authors find it difficult to detach education from training and training from education. Every training is a form of education while education is a form of training. Hence, as Urbi explained, while the two terms appear different in their nature and orientation, they remain so closely intertwined with each other that with the passage of time the difference between training and education has got increasingly blurred. “The worker, who takes training in the organization, is said to have had some education and thus, there is no training, without education.”¹³ It could be concluded that legal education is both a form of training and a special form of education. Accordingly, the terms “legal training” and “legal education” could be used interchangeably. Law is a profession, and even the definition of the word profession lends support to this definition; any job or occupation that needs special training or skill, especially one that needs a high level of education.¹⁴

3. FORMS OF LEGAL EDUCATION

The following forms of legal education have been identified:

3.1 PRIMARY DEGREE IN LAW (UNDERGRADUATE LEGAL EDUCATION):

The primary degree in law is the Bachelor of Laws (abbreviated as LL.B., LLB, or rarely LL.B.)¹⁵ obtained upon completion of an undergraduate legal/law education in the Faculty of Law of a university or other approved legal education-offering institutions. “LL.B.” stands for *Legum Baccalaureus* in Latin, and the “LL.” in the degree abbreviation comes from the genitive plural *legum* (“of the law”).¹⁶ The LL.B. was also historically the primary law degree in the U.S., but was phased out in favor of the Juris Doctor (J.D.) degree in the 1960s.¹⁷

3.2 ADVANCED ACADEMIC DEGREES IN LAW:

In Nigeria, at the advanced (post-graduate) level of legal education, the Master of Laws (LL.M) Degree and then Doctor of Laws (PhD¹⁸) Degree may be obtained. The PhD is the highest degree obtainable in law in Nigeria. In Nigeria, advanced academic degrees in law are obtained usually from the accredited Faculties of Law in the various universities and in some other institution for advanced learning in law, such as the Nigerian Instituted of Advanced Legal Studies (NIALS¹⁹)

3.3 PRACTICE OR TRAINING COURSES:

These are courses undertaken to qualify as a lawyer. An example is the Bar Part 2 (Bar Final) Course in the Nigerian Law School upon successful completion of which the Barrister-At-Law (BL) Certificate is awarded to the graduate entitling him or her to get called to the Bar and enrolled in the Supreme Court as a lawyer in Nigeria, provided he or she had met the other conditions precedent for call to the Bar.

3.4 APPLIED OR SPECIALIZED LAW ACCREDITATION:

Examples of this form of legal education include specialized training on Alternative Dispute Resolution (ADR) mechanisms (including Arbitration, Mediation, Conciliation, Reconciliation, Negotiation), Trade Mark, etc.

3.5 CONTINUING LEGAL EDUCATION:

This form of legal education (delivered at seminars, workshops, symposia, conferences, webinars) usually does not lead to any special qualification but is meant to provide practicing lawyers, judges and other members of the legal profession with updates on recent legal developments. The purpose of continuing legal education is to maintain or sharpen the skills of lawyers and judges. Accredited courses at such programs usually examine new areas of the law or review basic practice and trial principles.²⁰

In Nigeria, programs for continuing legal education are sponsored by Bar Associations²¹ or their Branches of other recognized providers. The NBA is expected to establish a Continuing Professional Development Department²² in its office for the operation of the programme²³ and to make rules for regulating the operation of the programme.²⁴ Also involved are Law Firms, the Nigerian Law Schools, Specialized Institutes, regulatory bodies in the legal profession or groups. The Council of Legal Education (Nigerian Law School), apart from its role in professional training of aspirants to the Nigerian Bar, has an additional responsibility for continuing legal education or continuing professional development for legal practitioners in Nigeria.²⁵ Pursuant to its role in this regards, the NBA has set up the Institute of Continuing Legal Education (ICLE) to set standards and to oversee the Mandatory Continuing Legal Education (MCLE) programme in collaboration with NBA Sections, local branches, and the Board of MCLE.²⁶ According to the NBA, "MCLE is a requirement for all Nigerian lawyers in legal practice or employment. It ensures that lawyers stay updated on legal developments, enhance their professional skills, and maintain their competence to practice law within the jurisdiction".²⁷

4. OBJECTIVES OF LEGAL EDUCATION

The Prime object of legal education is to produce professional lawyers, but this is not all. The Committee of Legal Education of the Harvard Law School lays emphasis on the double purpose of a law education, namely -- (a) to train men for the legal profession, and (b) to provide a centre where scholars might contribute to an understanding of law and government and participate creatively in the growth and improvement, etc of law. Outlining the aims of legal education, Encyclopedia Britannica writes:²⁸

One aim is to make the student familiar with legal concepts and institutions and with characteristic modes of legal reasoning. Students also become acquainted with the processes of making law, settling disputes, and regulating the legal profession, and they must study the structure of government and the organization of courts of law, including the system of appeals and other adjudicating bodies. Another aim of legal education is the understanding of law in its social, economic, political, and scientific contexts. Prior to the late 20th century, Anglo-American legal education was less interdisciplinary than that of continental Europe. With the development of a more or less scientific approach to social studies since the late 20th century, however, this has been changing. Some American law schools appoint economists, historians, political scientists, or sociologists to their staffs, while most permit their students to take courses outside the law school as part of their work toward a degree. Continental legal education tends to be highly interdisciplinary, if more abstract and doctrinal than its American counterpart, with nonlegal subjects compulsory for students taking their first degree in law. Traditionally, legal education has included the study of legal history, which was once regarded as an essential part of any educated lawyer's training.

In Nigeria, the target of legal education depends on the particular form of legal education; legal/law education at the undergraduate and graduate levels focuses mainly on substantive legal education, while legal education at the Nigerian Law School focuses on delivering procedural/adjectival legal education. A learned author has taken time to explain the meaning, difference and relationship between substantive law and procedural law, as follows:

Substantive law refers to the body of law that outlines the rights and obligations of individuals and organizations. The law defines legal or illegal behaviour and sets out the punishments for it. Substantive law covers many legal areas, including criminal, civil, and contract law. Criminal law is an excellent example of substantive law. Criminal law defines what actions are considered criminal and the penalties for those crimes.... Procedural law refers to the rules governing the legal process. It outlines how cases move through the legal system, from the initial filing of a complaint to the final resolution. Procedural law covers various legal areas, including civil, criminal, and administrative procedures. Civil procedure, for example, outlines the process for filing a lawsuit and moving a case through the court system. The criminal procedure outlines the process for investigating and prosecuting crimes, including the rights of the accused and the rules for gathering and presenting evidence. The purpose of procedural law is to ensure that the legal process is fair and efficient. It provides a framework for resolving disputes and ensures that everyone involved in the legal process, including judges, lawyers, and litigants, knows what is expected of them. Substantive and procedural laws are important in their own way and play a critical role in the administration of justice. Substantive and procedural law work together to ensure justice is served.²⁹

In Nigeria, the object of legal education includes inculcation in aspirants to the Nigerian Bar, knowledge, ethics, professional responsibility and values. Udemezue explains the need for inclusion of legal ethics and value as aspects of legal education in Nigeria:³⁰

...society views lawyers as custodians of a high moral value and distinguished members of the society, whose conduct and activities should serve as a light to the rest of the society. To maintain this standard and meet the high expectation of the society on lawyer, the Rules of Professional Conduct for Legal Practitioners has been put in place to guide and regulate legal practice and the conduct of legal practitioners, especially with respect to their duties and responsibilities to their clients, the court, the profession and the society at large, and of course their rights and privileges. The Rules was made by the General Council of the Bar pursuant to the power conferred on it by section 12 (4) of the Legal Practitioners Act.

On why the law or law practice is viewed more as a calling or a profession than as a business and why ethical training is central to both legal education and the legal profession, the learned author explains:³¹

Law or law practice is viewed more as "a duty of public service of which emolument is a by-product, and in which one may attain the highest eminence without [necessarily] making much money."³² This makes the law a noble profession, and the privilege

to practice it is bestowed only upon individuals who are competent intellectually, academically and morally. The basic ideal of the legal profession is to render service and to secure justice for those who seek its aid. If it has to remain a noble and honorable profession and attain its ideal, those enrolled in its ranks should not only master its tenets and principles but should also, by their lives, accord continuing fidelity to them. And because they are the vanguards of the law and the legal systems, lawyers must at all times conduct themselves in their professional and private dealings with honesty and integrity in a manner beyond reproach.³³ Second, the lawyer is seen as an officer of the court of law³⁴ and to the administration of justice whose participation in the court process is primarily guided by respect, honesty, sincerity, integrity, and reliability,³⁵ and not the quest to earn material profit. Third, a lawyer's relation to his client is guided by the highest degree of fiduciary³⁶ which make it mandatory for the lawyer to observe fiduciary duties in all his dealings with his client.³⁷ Failure in this regards usually attracts serious penal consequences against the lawyer, which come in the form of professional discipline. A fiduciary duty involves actions taken in the best interests of another person or entity.³⁸ A breach of fiduciary duty is said to occur when a fiduciary³⁹ fails to act responsibly in the best interests of a client.⁴⁰ As a fiduciary, the lawyer "accepts legal responsibility for duties of care, loyalty, good faith, confidentiality, and more when serving the best interests of a beneficiary. Strict care must be taken to ensure that no conflict of interest arises to jeopardize those interests".⁴¹ Other fiduciary duties include the duty to not charge excessive,⁴² illegal⁴³ or unconscionable fees,⁴⁴ the duty to not charge against public policy,⁴⁵ and the duty to charge client for only services rendered or work actually performed,⁴⁶ and in accordance with professional standards,⁴⁷ duty to keep all agreements entered into with his client or prospective client, including those made orally,⁴⁸ duty to advise the client candidly and honestly or otherwise not take advantage of the client,⁴⁹ duty of competence,⁵⁰ devotion and dedication,⁵¹ duty of care,⁵² among others. Fourth, a lawyer's relation to his colleagues at the bar is "characterized by candor, fairness, and unwillingness to resort to typical or usual business methods of advertising and encroachment on their practices, or of dealings directly with their [colleagues'] clients".⁵³

It is therefore easily seen that the object of legal education in Nigeria is not just to build a lawyer with great knowledge and skills, but to inculcate ethics and values and in the process of moulding character. This is because apart from the notion that the practice of law is more of a calling than of a business,⁵⁴ it has been suggested that morality is more important than law because law depends for its effectiveness and success, upon morality/ethics;⁵⁵ there is no more potent combination than God and a good lawyer.⁵⁶ Summarizing the objective of legal education, Ngige had this to say in a goodwill message presented to the Legal Education Summit 2022, organised by the Nigerian Bar Association in collaboration with Afe Babalola University, Ado-Ekiti, and held on 29 -30 March 2022:⁵⁷

Legal education which comprises in the education of individuals in the principles, practices, and theory of law, is dynamic and all-encompassing, cutting across several jurisdictions, concepts, processes and stages, the overall aim being that of serving society liberally by imparting general and cultural education to law students to make them good law-abiding citizens, as well as instilling in them the significance and relevance of constitutional democratic culture. ...legal education lays emphasis on training men for the legal profession, and providing centers where scholars might contribute to an understanding of law and government and participate creatively in growth and improvement of law, ethics and governance.... Finally, as recommended by the New Teaching Curriculum in the Nigerian Law School, 21st century legal education in Nigeria is also aimed at producing lawyers who would be in a position to measure up to contemporary benchmarks and international best practices in the legal profession.

According to the National Universities Commission (NUC) (of Nigeria), the "Philosophy and Fundamental Principles of the LL. B Degree Programme"⁵⁸ in Nigeria is to contribute to the enrichment and enhancement of legal study and practice, provide legal education within the realm of a dynamic socio-political environment that encompasses the national and global trends and challenges. The NUC says the main focus of the Law programme is "to create an environment that encourages intellectual rigour, analytical and critical engagement as well as profound ethical standards and to produce law graduates who can compete actively in legal, social, economic and political developments on a global scale". Regarding the "Aims and Objectives of the LL.B Degree Programme, the NUC stated as follows:⁵⁹

The main aims and objectives of the degree programme in Law should be: to ensure that Law is taught as it exists at any given time, and that every Law student adopts a comparative approach to legal studies bearing in mind that there are many systems of Law (Common Law, Statutory Law, Customary Law and Islamic Law) currently in operation; to ensure that students are imbued with a general knowledge and understanding of Law; to develop in students the intellectual ability to apply research, knowledge and analytical skills to solving theoretical and practical legal problems; to acquaint students with principles of the judicial process and legal systems, as well as their interaction with socio-economic frameworks; and to provide, through training and orientation, an appreciation of the growing relevance of inter- and multi-disciplinary approach to the solution of complex life problems and the role of law therein

The NUC BMAS 2011 makes elaborate provisions on entry requirements into undergraduate law programs in Nigerian universities, types and duration of undergraduate law study, degree classification, grading system, among others.⁶⁰ Regarding learning outcomes for the LL.B Degree program, the document provides that Law graduates are expected to develop a wide range of skills and abilities, including the following: ⁶¹

- a) **Analytical Skills:** Graduates of law are expected to develop high cognitive abilities and skills, and to be able to identify related socioeconomic challenges and demonstrate ability/competence in proffering practical relevant solutions.
- b) **Research skills:** to exhibit commendable research skills, with significant ability to find, consult, and analyse legal texts and other materials.
- c) **Advocacy Skills:** As ministers in the temple of justice, to demonstrate commitment to societal harmony and the administration of justice at all levels utilizing their analytical and advocacy skills.
- d) **Application:** to have the ability to apply their knowledge and skills in solving academic and practical social problems.

5. ORIGIN AND DEVELOPMENT OF LEGAL EDUCATION IN NIGERIA

Early Western legal education emerged in Republican Rome which through the Norman Conquest influenced the legal system in England which in turn, through colonialism, influenced the Nigerian Legal System. The legal education has a chequered history, spanning centuries, beginning around the 3rd Century BCE.⁶² Modern university-based legal education, however, is generally regarded as a foreign institution, having been introduced by European colonial powers in the 19th century. In Nigeria, there was no formal system of legal education until 1962. Hence there were no institutions for formal training of lawyers in Nigeria before 1962. Those who practiced law in Nigeria before 1962, were lawyers trained in England and some non-lawyers in Nigeria who were merely permitted to practice Law; it was more of a period of improvisation. Three stages of development of legal education in Nigeria are identified:

5.1 THE PRE-1914 ERA:

The Supreme Court Ordinance of 1876 had provided for three classes of people to be permitted to undertake law practice in Nigeria namely: professionally qualified legal practitioners; and those who served Articles; and (c) Local Attorneys.

5.2 THE PERIOD 1914 TO 1962:

Law practice in Nigeria during this period was restricted to professionally qualified lawyers (persons who qualified as barristers or solicitors in Britain) these were in three classes as follows: (a) Barristers: those who qualified as barristers in England; (b) Graduate Barristers: Nigerian students who moved to England and obtained a law degree in addition to their Bar examinations; and (c) Solicitors: those qualified as solicitors in England. These classes practiced law in Nigeria until 1962. Unfortunately, owing to absence of a formal system of law training in Nigeria as a result of which all lawyers who practiced in Nigeria during that era, were foreign-trained, legal practitioners in Nigeria during the period under review suffered the following serious deficiencies, even though they were all qualified legal practitioners:

- i. In England, a person was trained and could qualify only either as a Solicitor or as a Barrister. It was difficult for those who graduated in the UK as either Barrister or Solicitors to come down to Nigeria and begin to practice as both at the same time in a fused system as ours.
- ii. Lawyers practicing in Nigerian during that period had studied only English textbooks, statutes and law reports, and as such had no knowledge of Nigerian law, land law, constitutional law, customary law, etc;
- iii. They knew and understood nothing about the Nigerian legal system. Yet, they were permitted to practice law in Nigeria;
- iv. Most of them did not have a degree in law.

It was in an effort to correct these anomalies, that the Government of Nigeria constituted a Committee headed by the then Federal Attorney-General of the Federation, E.I.G. Unsworth. The Committee, set up in 1959, was mandated to consider and make recommendations for the future of the legal education and admission to practice, the right of audience before the court and the making' of reciprocal arrangement in this connection with other countries. The Committee came up with the following recommendations:

- a) That Nigeria should establish its own system of legal education;
- b) That a Faculty of Law be established, first at the University College, Ibadan, and subsequently, at any other University to be established in future;
- c) That a Council of Legal Education should be established;
- d) That a Law School, to be known as the Nigerian Law School, be established in Lagos to provide vocational course in law;
- e) That a basic qualification for admission to law practice in Nigeria should be possession of a degree in law of any university whose course is organized or supervised by the Council of Legal Education, and the vocational course prescribed by the Council;
- f) That any person graduating in law from any university which has not accepted the syllabus recommended/approved by the Council of Legal Education should be required to take further examination as the Council may prescribe.

The Nigerian Government implemented these recommendations by enacting both the Legal Education (Consolidation) Act, 1962 and the Legal Practitioners Act 1963,⁶³ following which the Nigerian Law School was set up in 1962. It could be concluded that a formal system of legal education was kick-started in Nigeria in 1962 with the enactment of the Legal Education (Consolidation) Act, 1962, and the establishment of the Council of Legal Education and the Nigerian Law School.

5.3 THE POST-1962 ERA (THE PRESENT ERA):

Section 2 of the Legal Practitioners Act, 1963⁶⁴ permitted three categories of people to practice law in Nigeria as Legal Practitioners:

- a. Those entitled to practice generally: lawyers who went through law school. Note that one could be exempted from

- attending the law school -- there are (a) full exemption and (b) partial exemption;
- b. Those entitled to practice law for the purpose of any particular office: these include Attorney-General (Federal and State) and all legal officers in Government departments; and
- c. Those entitled to practice law for the purpose of any particular proceedings: persons who qualified as lawyers outside Nigeria but who apply to, and are granted permission by, the CJN to come and do a lawsuit or other legal job in Nigeria and go back to their country of residence or practice.

As already observed, a formal system of legal education, influenced initially by British colonial practices,⁶⁵ began in Nigeria in 1962. It could accordingly be said that formal legal education is about 63 years old in Nigeria. During this period, great lawyers have been produced in Nigeria, and are champions all over the world. Legal education has played important roles in shaping a robust judicial system and a strong legal profession in Nigeria, which are essential for national stability, justice and good governance. Legal education in Nigeria plays a crucial role in developing professionals who uphold fairness and the rule of law,⁶⁶ as well as promote good governance. Legal education equips individuals to navigate complex legal landscapes, ensuring accountability and transparency in governance⁶⁷ and practice of constitutional democracy.

6. REGULATION OF LEGAL EDUCATION IN NIGERIA

In this segment are considered both legal regulation and institutional regulation of legal education in Nigeria, as well as a discussion of perceived regulatory gaps and the need for reform.

6.1. LEGAL REGULATION OF LEGAL EDUCATION

The legal education in Nigeria is underpinned by a network of legal instruments and institutions that define its scope, standards, and administration. At the heart of this framework are statutory enactments, regulations, rules, and guidelines that delineate the roles and responsibilities of the various stakeholders involved in legal education in Nigeria. This segment offers a critical analysis of the core legal and regulatory instruments governing legal education in Nigeria, assesses their effectiveness and highlights areas of regulatory concern and potential reform.

6.1.1. The Legal Education (Consolidation, etc) Act, 1962:⁶⁸

This is the foundational statute that established the Council of Legal Education and set out its mandate and wide-ranging powers including power to set and approve curricula for legal education; to administer the Nigerian Law School; to accredit law faculties in Nigerian Universities; determines who is qualified for an admission into the Nigerian Law School and for call to the Nigerian Bar, among others. Details of curricula development and enforcement and mechanism for compliance and inter-institutional coordination. Besides, there is no express provision for public or stakeholders' participation in legal education beyond the aspect involving representation of the NBA in the Council and the limited roles assigned to the Body of Benchers.

6.1.2. Legal Practitioners Act, 1975:⁶⁹

This complements the Legal Education Act by regulating the legal profession. It assigns the roll of formal call to the bar to the Body of Benchers, outlines the conditions for call to the bar and defines who is a lawyer, who is entitled to engage in law practice, conditions for law practice, and punishments for impersonating a lawyer in Nigeria, among others. The LPA has been criticized by some for its outdated language, ambiguities and failure to reflect evolving legal practice dynamics such as digital lawyering and interdisciplinary competencies.

6.1.3. Education (Minimum Standards and Establishment of Institutions) Act:⁷⁰

This Act empowers the National Universities Commission (NUC) to lay down minimum academic standards for all degree programmes in Nigeria, including law, empowering the NUC as the primary authority for regulating academic university content. This has led to a dual regulatory regime in legal education: NUC for undergraduate education and the CLE for vocational training, although the CLE retains power of undergraduate regulatory functions especially in the area of accreditation of law faculties. This regulatory dualism has generated coordination challenges. Example, discrepancies often exist between what the NUC mandates and what the CLE accepts as sufficient preparation for Law School.⁷¹

6.1.4. NUC Benchmark Academic Standards (BMAS) For Law (2011):

This sets out detailed curriculum and training expectations for the LL.B Degree, outlining the core legal subjects, minimum contact hours, entry requirements, and learning outcomes. The BMAS aims to harmonize legal education across institutions, introduce interdisciplinary and ethical training, and align legal training with global standards. However, implementation remains uneven and there appear to be little or no statutory sanction for default nor any mechanism for regular updating of the standards. Besides, CLE's power to accredit law faculties overlap with NUC's, often causing tension in quality assurance and regulatory smoothness.

6.1.5. The Rules of Professional Conduct (RPC), 2023:

The RPC, issued by the General Council of the Bar pursuant to the LPA, sets ethical and professional conduct standards for legal practitioners in Nigeria, and is thus indirectly relevant to legal education. It is expected that aspirants to the Bar are trained in alignment with these rules to promote, inculcate ethics and integrity in law practice and their lives as lawyers when finally called to the Bar. Ethical training is a requirement both at the undergraduate level (per BMAS) and at the Nigerian Law School (per CLE directives). Hence, "Professional Ethics and Skills" is among the courses being taught at the Nigerian Law School and is taken very seriously by both the Law School and the CLE. However, the RPC does not impose specific training mandates on universities or on the CLE, which raises questions about enforceability of professional ethics training in the pre-Bar stages. This notwithstanding, there are Codes and regulations prescribed by University authorities, Law Faculties and, the Nigerian Law school and the CLE to ensure strict compliance and enforcement. On its part and apart from prescribing the Professional Ethics and Skills as a mandatory module in the NLS, the CLE has in place the Code of Conduct for Nigerian Law School students and has also mandated the integration of teaching of legal ethics to the other modules being taught in the NLS. There are severe sanctions prescribed by the Nigerian Law School for breach of ethical standards. Indeed, one of the conditions for admission into the Law School is that the applicant must be fit and proper. In addition, an aspirant considered not fit and proper is not recommended for call to the bar irrespective of his or her academic performance at the Nigerian Law School. The power of the CLE to prescribe such additional conditions for both admission into the NLS and

for call to the Bar, is recognized by both the Legal Education (Consolidation, etc) Act⁷² and endorsed by the Court of law.⁷³ Every aspirant to the Nigerian Bar is expected to maintain a high standard of ethical conduct, failing which he may be disqualified from admission into the Law School, or, if already admitted, may be shown the way out. Even after call-to-bar, a legal practitioner who fails to observe the professional code of conduct would be made to face professional discipline and, if found guilty, could face serious punishments, such as warning, suspension from practice or his name could be struck out from the Roll, meaning that he ceases to be a member of the bar in Nigeria. The idea behind this is that the legal profession is a noble one; hence only those worthy in learning and character are expected to be admitted into, and to remain in, it. The Roll is a term used to refer to the register, kept at the registry of the Supreme Court of Nigeria, which contains names of all legal practitioners in Nigeria, in order of call-to-bar and enrolment.

6.1.6. Case Law:

This comprises in judicial precedents. An example is the case of *Okonjo v Council of Legal Education*,⁷⁴ among others. Nigerian legal education is precedent-driven because without case law, the teaching of law would remain abstract and incomplete; judicial precedents bridge the gap between theory and practice in legal education, by providing authoritative interpretations of statutes, shaping how topics are taught in universities and the Law School, serving as tools for moot court, mock trials and bar examinations. In every university law faculty and Campus of the Nigerian Law school, landmark judicial decisions are core teaching tools. The Council and the NLS design law curriculum around legal doctrines that have been clarified by the courts. Further, where statutes are silent or ambiguous, judicial precedents fill the gaps and these judicially settled rules end up becoming compulsory teaching tools and study materials. There is therefore no gainsaying that case law has direct influence on legal education in Nigeria. Some examples of judicial precedents that have helped to shape legal education in Nigeria include the concept of *locus standi*⁷⁵ and the doctrine of covering the field⁷⁶ both in Constitutional Law, the concept of *mens rea* in Criminal Law,⁷⁷ the concept of duty of care in Torts Law,⁷⁸ the concept of finality of Supreme Court decisions,⁷⁹ interpretation of Wills and Succession,⁸⁰ among numerous other examples.

6.1.7. Others:

There are some other legal instruments that contribute in shaping legal education in Nigeria: Nigerian Institute of Advanced Legal Studies (NIALS) Act,⁸¹ the Code of Conduct for Nigerian Law School Students, the Codes of Conduct in the various Universities, the recently enacted Mandatory Continuing Legal Development Rules of the Nigerian Bar Association (NBA-CPD Rules) 2025,⁸² the enabling laws of the various universities in Nigeria, among others.

6.2 INSTITUTIONAL FRAMEWORK FOR LEGAL EDUCATION IN NIGERIA

Legal education in Nigeria is structured into different stages that aspiring lawyers must go through in order to become legal practitioners.⁸³ These stages are designed to ensure that individuals are adequately equipped with the necessary knowledge and skills to practice law effectively in the Nigerian jurisprudence. Besides, necessary institutions, both public and private, are set up and maintained to ensure the smooth, efficient and effective administration, sustenance and advancement of legal education in Nigeria.

6.2.1. The Council of Legal Education (CLE):⁸⁴

The CLE is the parent body of Nigerian Law School,⁸⁵ and was established in 1962,⁸⁶ and saddled with the responsibilities⁸⁷ for legal education of persons seeking to become Legal Practitioners in Nigeria and with such other powers and functions as the Council may consider expedient for the purpose of performing its main functions.⁸⁸ Additionally, the Council has⁸⁹ responsibility for Continuing Legal Education.⁹⁰ The CLE is the main regulator of legal education in Nigeria, with an additional duty to grant accreditation to Law Faculties established in Nigeria, as a precondition to eligibility of graduates of such Law Faculties to be considered for an admission into the Nigerian Law School for the Bar Part 2 Course, preparatory to induction into the legal profession in Nigeria where the aspirant meets prescribed conditions.⁹¹ The school has prescribed certain conditions, which its students must satisfy in order to qualify for call to the Bar and enrolment as lawyers⁹² in Nigeria. These conditions include that the aspirant must be fit and proper;⁹³ the aspirant must be successful at Nigerian Law School's Bar Part 2 course;⁹⁴ the aspirant must have participated in the mandatory three-dining terms (three law dinner sessions) at the Law School;⁹⁵ the aspirant must be successful in the mandatory Portfolio Assessment exercise organized in the Law School;⁹⁶ and the aspirant need now⁹⁷ not be a Nigerian citizen.⁹⁸ At the end of each Bar Part 2 course, the Council would recommend students who meet these requirements, among others, to the Body of Benchers for call to the Bar. They are then admitted into the Legal profession during call-to-the-bar ceremonies, usually held in Abuja, after which they are enrolled at the Supreme Court as Barristers and Solicitors of the Supreme Court of Nigeria.

6.2.2. The Nigerian Law School (NLS):⁹⁹

The Nigerian Law School (NLS) was set up by the Federal Government of Nigeria in 1962,¹⁰⁰ to provide for the local needs of the then foreign-trained lawyers and to provide the much needed practical training to those aspiring to become Legal Practitioners in Nigeria.¹⁰¹ The School started at Igbosere Street, near Obalende in Lagos State, Nigeria, and was later moved to Ozumba Mbadiwe Street in Victoria Island, Lagos, in 1969. In 1997, it was relocated to Bwari, a suburb of Abuja, Nigeria's Federal Capital Territory (FCT). The need to accommodate the ever-growing number of law graduates from Nigerian universities (and their foreign counterparts desirous of becoming lawyers in Nigeria) led to the decentralization of the Nigerian Law School in 2001, with the creation of three additional Campuses - in Enugu, Kano and Lagos States - in addition to the Headquarters in Bwari, Abuja. Two more Campuses were later created in 2011 -- one in Yenagoa, Bayelsa State and another in Yola, Adamawa State. One more Campus (donated by Rivers State Government¹⁰²) was commissioned in Port Harcourt, Rivers State, Nigeria in November 2022. In all, the Nigerian Law School now has seven fully functional Campuses: (1) Bwari Abuja (the headquarters); (2) Agbani (Augustine Nnamani Campus), in Enugu State; (3) Bagauda, in Kano State; (4) Victoria Island, Lagos; (5) Yola, in Adamawa State; (6) Yenagoa, in Bayelsa State, and (7) Port Harcourt, (Nabo Graham-Douglas Campus) in Rivers State. In addition to having the Bachelor of Laws (LL.B) degree from a Nigerian university whose law faculty is officially recognized and duly approved by the Council of Legal Education, an applicant for an admission into the Nigerian Law School must also be a "fit and proper" person for admission into the legal profession. For example, an ex-convict, a member of a secret cult, a drug addict

or peddler, or an armed robbery gang member, etc., may in proven cases, be considered not fit and proper, and accordingly disqualified, even if the person graduated from a university with a first class honours degree in law.¹⁰³ Persons graduating from university law faculties outside Nigeria, but who aspire to become members of the Nigerian Bar, are made to undergo a three-to-four-month Bar Part 1 training course at the Law School Headquarters, in Bwari, Abuja, before being considered for a formal admission into the mandatory one-year-long¹⁰⁴ Bar Part 2 (Bar Final) programme. In addition to persons graduating from university law faculties within Nigeria, students who are successful in the Bar Part 1 programme are also considered for an admission into the Bar Part 2 course. The Bar Part 1 programme is aimed chiefly at introducing the “foreign”¹⁰⁵ law graduates to basic aspects of the Nigerian Legal System, such as Nigerian Land Law, Nigerian Customary Law, Constitutional Law, Criminal Law, Law of Evidence, Nigerian Customary Law, among others. Teaching in the Law School under the New Curriculum¹⁰⁶ is practice-based, and is aimed at producing lawyers who would be in a position to measure up to contemporary benchmarks and international best practices in the legal profession.

6.2.3. The Body of Benchers (BOB):

A juristic person¹⁰⁷ established by the LPA as “a body of legal practitioners of the highest distinction in the legal profession in Nigeria,”¹⁰⁸ the BOB plays the following roles in legal education of aspirants to the Nigerian Bar: organizing three law dinner terms for aspirants to the Bar¹⁰⁹ as a precondition for eligibility for call to the bar in Nigeria, and as part of the professional bar training program at the Nigerian Law School; organizing and performing the formal call to bar of aspirants to the bar; issuing the Certificate of Call to the Bar to successfully inducted lawyers;¹¹⁰ prescribing call-to-the-bar fee;¹¹¹ exercising power of discipline over aspirants to the Bar;¹¹² and Sponsorship of Aspirants to the Bar - each aspirant to the Bar in Nigeria must be sponsored in writing by at least two members of the Body of Benchers.¹¹³

6.2.4. The Nigerian Bar Association:

The NBA is the umbrella association of all lawyers in Nigeria. The NBA was registered as the “Registered Trustees of Nigerian Bar Association”¹¹⁴, by virtue of which registration, under the Companies and Allied Matters Act (CAMA),¹¹⁵ the Registered Trustees of NBA became a juristic, corporate personality,¹¹⁶ with perpetual succession, common seal, power to hold property and to sue and be sued in its corporate name.¹¹⁷ The NBA plays some role in the legal education of aspirants to the Nigerian Bar, as follows:

- 1) Performs some regulatory roles with respect to Mandatory Continuing Legal Education under the Rules of Professional Conduct for Legal Practitioners (RPC), 2007.¹¹⁸ The NBA is expected to establish a Continuing Professional Development Department in its office for the operation of the programme.¹¹⁹ The program is regulated and operated under rules made for the purpose by the NBA¹²⁰
- 2) Performs some role in formal legal education for aspirants to the Bar: Apart from that the NBA is represented in the Council of Legal Education by the NBA President¹²¹ and 15 (fifteen) other lawyers of not less than ten years standing, selected or elected by the NBA,¹²² the NBA President doubles as the Alternate Chairman of the Council of Legal Education (CLE).
- 3) Performs some role during the externship Program in the Nigerian Law School: The NBA President and the various NBA Branch Chairmen are empowered in certain situations to participate by collaborating with relevant Staff of the Nigerian Law School in placement/posting of Nigerian Law School students undergoing the externship program in Law Firms and Courts for the purpose of the program.
- 4) The Director-General¹²³ of Nigerian Law School is expected in every year to present to Nigerian Bar Association (NBA)’s Annual General Meeting (NBA-AGM), an annual report of the activities of the Nigerian Law School. During the presentation of this report, members of the NBA are at liberty to interrogate the DG on the activities of the NLS. The report is meant to give updates to members of the Bar on activities of the NLS, to keep the Bar in the know of recent developments in advancement and administration of legal education in Nigeria.

6.2.5. Nigerian Universities:

Many Universities in Nigeria has Faculties of Law that provide substantive legal education, both at the undergraduate level (leading to the award of the Bachelor of Laws (LL.B) Degree) and at the postgraduate level (leading to award of the Master of Laws (LL.M) Degree and the Doctor of Laws (Ph.D) Degree). However, only students graduating with the LL.B Degree, from duly accredited Faculties of Law in Universities in Nigeria and adjudged to be fit and proper¹²⁴, are qualified for an admission into the Nigerian Law School for the adjectival Bar Part II law program.

6.2.6. Universities Outside Nigeria:

Students graduating from any foreign university, approved by the Council of Legal Education, is, upon application, admitted into the Bar Part I law program at the Nigerian Law School. Aspirants who have successfully completed the Bar Part I program, are admitted into the Part II course.

6.2.7. Specialized Legal Education Institutions:

There are some specialized academic institutions that offer law courses in Nigeria at the advanced (postgraduate) level. An example is the Nigerian Institute of Advanced Legal Studies which was established in March 1979 as “Nigeria’s apex institution for research and advanced studies in law...for advanced legal research for all the Nigerian universities with Faculties of Law, so that all postgraduate work could be undertaken there under the joint auspices of the most experienced and learned academic lawyers available in the country, whether indigenous or foreign.”¹²⁵ The Institute became autonomous under the supervision of the Federal Ministry of Justice in 1984, vide Decree No. 18 of June 27.¹²⁶ and started to run post-graduate courses in legislative drafting through its Institute’s Post-graduate School (PGS) established in 1997. The Institute has also recently commenced a Ph.D Programme in Legislative Drafting.

6.2.8. The National Universities Commission (NUC):

Established in 1962 as an advisory agency in the Cabinet Office, became a statutory body in 1974, with an Executive Secretary, the NUC is a parastatal under the Federal Ministry of Education (FME). Charged with the responsibility for development and management of university education in Nigeria, the main functions of the NUC include: (a) granting approval for all academic programmes run in Nigerian universities; (b) granting approval for the establishment of all higher educational institutions offering degree programmes in Nigerian universities; (c) ensuring quality assurance of all academic programmes offered in Nigerian universities; and (d) acting as a channel for all external support to the Nigerian universities. No organisation can engage in university education or run any undergraduate program unless duly approved by the NUC. The Council of Legal Education undertakes accreditation of Law Faculties in conjunction/collaboration with the NUC. The NUC has developed a template to act as a guide to administration of legal education in Nigerian universities. Section 10 (1) of the Education (National Minimum Standards and Establishment of Institutions) Act,¹²⁷ empowers the NUC to lay down minimum standards for all programmes, including law, taught in Nigerian universities. In 1989, the Commission, in collaboration with the universities, developed minimum academic standards for all the programmes taught in Nigerian universities and the Federal Government subsequently approved the "Benchmark Minimum Academic Standards For Undergraduate Programmes In Nigerian Universities Law (NUC BMAS). The NUC BMAS) 2011,¹²⁸ is a version of the document revised to meet the demands of prevailing benchmarks and international best practices in the education sector.

6.2.9. The Attorney-General of the Federation (AGF):

The Attorney-general of the Federation plays some role in the legal education of aspirants to the bar. The office of the Attorney-General of the Federation is established by the Constitution of the Federal Republic of Nigeria, 1999.¹²⁹ The Attorney-General of the Federation is the "Chief Law Officer of the Federation and a Minister of the Government of the Federation".^{130, 131} To qualify to hold office or to perform the functions of the office of the Attorney-General of the Federation, a person must be qualified to practise as a legal practitioner in Nigeria and must have been so qualified for not less than ten years.¹³² The Chairman of the Council of Legal Education shall be appointed by "the Federal Executive Council on recommendation of the Attorney-General of the Federation".¹³³ Besides, the AGF is a member of the Council.¹³⁴ Further, the AGF has powers to appoint into the Council "a representative of the Federal Ministry of Justice" and two other persons "who must be authors of published learned works in the field of law".¹³⁵ Finally, the AGF may give the Council directions of a general character with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with such directions.¹³⁶

6.2.10. Lawyers In Private Practice In Nigeria, Courts of Law, Law Firms and Ministries of Justice:

Lawyers, Courts, Law Firms and the Ministries of Justice in Nigeria each plays some role in legal education in Nigeria. Lawyers in Nigeria serve as adjunct lecturers and mentors in the various Campuses of the Nigerian Law School. Lawyers in Nigeria are engaged as Assessors to sit with Nigerian Law School Lecturers as members of Portfolio Assessment Panels during portfolio assessment at the conclusion of the externship program in the the Nigerian Law School. Lawyers in private law practice are occasionally invited to deliver special lectures in the various Law Faculties in Nigeria and in the Nigerian Law School. Regarding the role of Law Firms, Ministries of Justice, and Courts of law in the training of aspirants to the Bar in Nigeria, Udemezue explains:

At the end of the twenty weeks of lectures, students are sent out on court and law office placement (externship programme). Each student is placed in a court of law for about seven weeks and immediately thereafter in a Law Office [or in a Ministry of Justice] for about five weeks. The objectives[xv] of the externship programme are to develop the extern's lawyering skills; to make the extern understand various aspects of the legal system as well as the legal profession; to inculcate in the extern a sense of professional responsibility and values; and to develop the extern's ability to reflect and learn from his or her experience. At the conclusion of the externship programme, each student is made to appear before a Portfolio Assessment Panel, the aim of which is basically to determine to what extent each student has applied himself or herself to the goals of the programme. Any student who scores below 70 per cent is disqualified from call-to-bar for that academic session, even though he is still eligible to sit for the Bar Part 2 Exams for the year. Depending on the nature of the problem that led to his or her failure, the student would be sent back to repeat the externship programme, and thereafter he/she would join students in the next academic year during their own portfolio assessment, and if successful, then, would be called to bar with them. The Law Firms, Courts and Ministries of Justice in the various States of Nigeria and in the Federal Capital Territory, Abuja, serve as Field Supervisors during the externship program. Specific roles and responsibilities of the various Law Firms/Ministries of Justice and Courts are set out in the Externship Handbooks for Students¹³⁷ and Externship Handbook for Field Supervisors¹³⁸ usually given/courtesy to participating Law Firms/Ministries of Justice and Courts at the beginning of the externship program in each session.

6.3. REGULATORY GAPS AND NEED FOR REFORMS

From the discussion above, it appears that the current regulatory framework for legal education appears fragmented, duplicative, and in some respects outdated. Such areas of lapses include lack of coordination and proper synergy between the NUC and the CLE, leading to conflict in curriculum design, and faculty accreditation; absence of periodic review mechanisms for existing laws; limited stakeholder engagement in standard-setting processes; lack of robust sanctions for institutional non-compliance; and absence of adequate legislative framework for addressing emerging trends like technology in law practice, clinical legal education or globalized law practice, among others. There is need for a harmonized and modernized regulatory framework is essential, but this would require, among other reform actions, a further overhaul of the legal and institutional regulatory mechanisms, starting with reform of the Legal Practitioners Act and the Legal Education Consolidation Act, and other existing laws to introduce clearer delineation of powers and more modern educational expectations. Thus, although existing legal instruments for regulation of Nigeria's legal system have laid a solid foundation, they are now in need of comprehensive reform. The evolving demands of the legal profession, technological disruptions, and the globalization of legal services require a forward-looking, coherent, and enforceable regulatory regime. Addressing existing gaps is crucial for sustaining the integrity quality and international competitiveness of Nigeria's legal education system.

7. IMPACTS OF LEGAL EDUCATION IN NIGERIA

Legal education plays a vital role in every society, and Nigeria is not an exception; legal education in Nigeria has had immense impacts influence on the development of the law, the legal profession, law practice, law reforms, human rights, the rule of law, administration of justice, democracy, governance and Nigeria as a whole. Academic programs give aspiring legal professionals and practicing lawyers a sound knowledge law, of legal principles, frameworks, human rights and international norms, which provides great empowerment for them to contribute in resolving legal and other problems as well as in advancing the country and the world at large. Lawyers and judges through advocacy and administration of justice respectively, contribute a lot addressing the needs and problems of the society through promotion of law reforms, the rule of law, good governance, justice, and legislation and legislative drafting. Legal education fosters critical thinking and problem-solving skills among students, preparing them to navigate complex legal issues and propose innovative solutions to legal and societal challenges. Legal education has evolved over the years, adapting with the demands of an ever-dynamic society to ensure that present and future lawyers are equipped to effectively address new challenges and developments in the legal landscape. As noted earlier Ngige, legal education in the 21st century must be one that effectively responds to the economical, technological, and societal shifts that happen at an ever-increasing pace. It must be an education that sets children up to succeed in a world where more than half of the jobs they will have over their careers do not even exist yet.¹³⁹ Finally, legal education promotes ethical conduct as ethics is the foundation of the legal profession and law practice. On how legal education promotes ethical conduct among lawyers in Nigeria, Naija Scholar has the following observation:¹⁴⁰

Upholding ethical standards is crucial for maintaining public confidence in the judiciary and legal profession. Ethical conduct guides lawyers in their interactions with clients, colleagues, and the court, fostering professionalism and respect for the rule of law. Legal ethics encompass principles such as confidentiality, honesty, impartiality, and respect for diversity. These principles guide lawyers in making ethical decisions and resolving ethical dilemmas that may arise in their practice. By adhering to ethical norms, lawyers promote justice and uphold the rights of individuals within the legal system.

8. Conclusion

From the discussion in this work, it can be seen that legal education in Nigeria has travelled through major evolutionary stages, moving from its colonial roots to a well-structured, multi-dimensional system that is now able to respond to the growing demands of an ever-changing, globalized legal profession. In this paper, the authors explored the fundamental meaning, forms, goals, evolution, institutional architecture, and implications of legal education in Nigeria. The authors believe they have been able to demonstrate that legal education is no longer just about producing graduates, but also about instilling and nurturing proficient, noble, honourable, and socially responsive and informed legal professionals, skilled enough to uphold justice and advance or influence positive national growth and transformation. However, notwithstanding the huge progress it has already made, legal education in Nigeria continues to encounter massive challenges that not only militate against its advancement in Nigeria but also hinder it from fully aligning with global benchmarks. While the major regulators of legal education in Nigeria work hard to advance legal education, with each striving within its own sphere of operation to uphold the structure and standards of legal education in Nigeria, it is obvious that, in order for Nigeria to meet the demands of a contemporary, cutting-edge legal education climate (defined by digital breakthroughs, cross-border practice, and multi-layered socio-political dynamics) legal education must continue to upgrade and adapt, consistently integrating pedagogical transformations, cross-disciplinary approaches, structured oversight or regulatory transparency, and upholding ethical, professional, and practical standards. Being a forerunner to the second part of this two-part research study, the present discourse recognizes the desirability and inevitability of a visionary reawakening, inclusive revitalization, and a strategic and sagacious regulation of legal education in Nigeria. Nigeria and its legal profession have a great deal to gain from a legal education that is adaptive, robust, and committed to honest reforms.

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