



# NIGERIAN BAR ASSOCIATION

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## PRESIDENT'S WELCOME REMARKS AT THE NIGERIAN BAR ASSOCIATION STATE OF THE NATION DIALOGUE HELD ON MONDAY, 30 JANUARY 2023 AT THE NATIONAL SECRETARIAT (NBA HOUSE), PLOT 1101, MUHAMMADU BUHARI WAY, CENTRAL BUSINESS DISTRICT, ABUJA

### PROTOCOLS

I welcome you all to this August gathering – the maiden edition of the Nigerian Bar Association State of the Nation Dialogue.

In my Inaugural Address on 26 August 2022, I noted amongst other things, that:

“There has not been any time in this country when Nigerians have looked more to the Bar as they do now, for a way out of the rather bleak situation, and they are certainly looking in the right direction. We are the ones who, by the privilege of our training and expertise, are positioned to ask the right questions, interrogate the system and call those saddled with the responsibility of providing security for the lives and properties of Nigerians, to account for their stewardship. Permit me to borrow from a biblical expression and to say that; just as the entire world is eagerly waiting for the manifestation of the sons of God, *so are Nigerians eagerly waiting for the discharge of the leadership responsibility and interventions of the members of the legal profession*. We have what it takes to precipitate the leadership that will bring the succour and freedom Nigerians deserve and we cannot afford to shirk from that responsibility.”

I went on to say that there is need to continuously engage government at all levels to, amongst other things, generate discussions that will provide Nigerians with sufficient information to guide them in making their choice of persons to occupy elective offices in the upcoming general elections. Nigerians must be satisfied, given the concrete realities of our nation, with the practical solutions that are being proposed by those seeking elective offices with the current security, economic and political challenges. Consistent with our duty to the people, we cannot allow the nation to be misled, as Abraham Lincoln once said: *“let the people know the truth and the country will be safe”*.

The motivation for these statements stems from my modest understanding of the natural trailblazing attributes of lawyers in bringing about national development. As professionals privileged to have been formally instructed on the subject of Law, which is the instrument by which justice is dispensed to the people, we are naturally called to provide leadership. It is by justice that a people exist and as ministers in the temple of justice, our primary call is to serve the cause of justice. It was Sheikh Uthman Danfodio who said: *“a people can exist without religion, but they cannot exist without justice”*. That is to say, the existence of a people is directly connected with the presence or otherwise of justice, and if our primary call as members of the legal profession, serving on the Bench or at the Bar, is to serve justice, it then follows that our responsibility is intricately connected with the existence of our nation Nigeria. **Righteousness exalts a nation, sin (one of which is injustice) is a reproach to any people!** It is this leadership that we owe Nigerians.

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At the 2015 Annual General Conference of the NBA, themed Lawyers and National Development, I had the privilege of delivering a paper titled “Expanding the Frontiers of Pro-Bono Work in Nigeria. In that paper I noted that:

***“...the primary responsibility of developing this Nation rests upon us as lawyers and we must have a natural appetite to take the lead in National Development. National Development for a lawyer is therefore more than just a civic duty or responsibility; it is a natural tendency arising from our unique and peculiar professional calling”***

During the opening of the Accra Conference on Legal Education at the Ghana Law School on January 4, 1962, the late Kwame Nkrumah was reported to have said:

***“In a developing country, the first priority is NOT for lawyers trained to conduct litigation between wealthy individuals.... The lawyers needed in a developing state are, in the first place, those trained to assist the ordinary men and women in their everyday legal problems and particularly in the new problems likely to arise through industrialization...Secondly, and perhaps most important of all, we need lawyers in the service of the state, to deal with treaties and commercial agreements and with questions of private and public international law....”***

Similarly, President Kenneth Kaunda, in an address to the Law Society of Zambia, had this to say:

***“The lawyer in a developing society must be something more than a practicing professional man; he must be more even than the champion of the fundamental rights and freedoms of the individual. He must be, in the fullest sense, a part of the society in which he lives and he must understand that society if he is to be able to participate in its development and the advancement of the economic and social well-being of its members. The lawyer must go out beyond the narrow limits of the law, because as I have said, while the law is the instrument through which society is preserved, in its shape and character, it is the reflection of the society.”***

Professor L.C.B. Gower, a jurist and well-known legal educator, drew attention to the fact that the public responsibilities of the legal profession in a developing country, are even greater than in the highly developed industrial states. On the needs of such developing countries, he noted *inter alia* that:

***“They need commercial, corporation, and property lawyers if they are to achieve an economic take-off. They need bilingual, international, comparative and constitutional lawyers if they are to survive as states and to enter into large unions which Pan-Africa sentiment and economic development demand.... They need courageous lawyers with the highest ethical standards if the atrophy of the rule of law and of personal and academic freedom and the corrosive growth of corruption, nepotism and elitism are to be arrested, and if military and police power is to be kept within bounds. Most of all, perhaps, they need constitutional lawyers sophisticated in other disciplines if they are to find a viable substitute for the Westminster parliamentary democracy.”***

On his own part, Professor Olakunle Orojo, opined that:

***“The Nigerian legal practitioner (as in other developing countries) bears a much heavier responsibility to his society than his counterpart in a highly developed country. In the first place, the Nigerian legal practitioner has to face, not only the problems of the developing society, but also many of those of the developed one into***

*which Nigeria is moving at a hectic rate; the present rate of change in every facet of life could not have been foreseen.*

*Secondly, he is one among the very few privileged people in an environment where the vast majority are not only illiterate but also ignorant, superstitious and poor; his social and traditional environment clogs him and he requires to make a great effort not only to break through but to play his proper role of social catalyst.*

*In the circumstances, Nigerian legal practitioners must be able not only to perform their traditional functions of catering for the professional needs of the citizens, of administering justice and manning the various legal institutions of the state, but they must also be involved in social change; they must be committed to law reform to ensure the harmonization of law with the culture of the people and they must strive to ensure a strict adherence to the rule of law and among other things, ensure that the newly acquired political power is carefully watched and controlled so that it is not used to protect or perpetuate the status quo or class domination. As the watchdog of the people, they must, through their independence and total commitment to social justice, provide the necessary support to sustain equally independent and fearless judiciary, the last hope of man for law and order, peace and progress.”*

All the above thoughts were summed up in the profound words of Sir Christopher Alexander Sapara Williams, CMG (14 July 1855 to 15 March 1915 – the first Nigerian called to the English Bar on 17 November 1879), when he said that *“the legal practitioner lives for the direction of his people and the advancement of the cause of his country”*. Achieving this requires, in the words of Professor Gower, *“courageous lawyers with the highest ethical standards if the atrophy of the rule of law and of personal and academic freedom and the corrosive growth of corruption, nepotism and elitism are to be arrested”* And as Sir Adetokunbo Ademola put it *“The respect in which the Bar in any country is held is the best indicator of the freedom in that country.”*

My Lords, Your Excellencies, distinguished colleagues, ladies and gentlemen, these profound statements by no less personalities than I have stated above, shaped my understanding of the role of the lawyer in the society, thus leading to this modest effort in the quest to provide direction to the people of this Nation, and make ourselves available for the advancement of Nigeria.

I dare say, with utmost respect, that to a large extent, our experience today as a country is a direct result of the legal profession’s abdication of the duty to provide direction and leadership to the people. I must therefore, as one who is privileged to lead the Bar at this time, apologise to Nigerians for the abdication of our role. Today, as members of the Bar, we are reputed more for how much fees we charge our clients as opposed to the discharge of our primary call to offer guidance and/or offer ourselves for the advancement of the cause of our country. This apology is necessary because, no other group of professionals is called to this privileged position as the lawyers, which also comes with corresponding responsibility to provide leadership. Let me borrow from a biblical passage to say that **“if the members of the legal profession; called to the Bar as Barristers and Solicitors of the Supreme Court of Nigeria, serving on the Bench and at the Bar, will humble themselves and pray and seek to provide leadership to the people and commit to the advancement of the nation, then shall we, God helping us, turn around the fortunes of this land and begin the recovery, reformation and repositioning of our nation Nigeria”** This is my call on all the members of the legal profession in Nigeria.

Let me use this opportunity to pay tribute Chief Chimezie Ikeazor, SAN (of blessed memory) – *The Poor Man’s Lawyer*, as he loved to be known and called. Chief Ikeazor, in 1974, led a group of lawyers, including Debo Akande, Solomon Lar, Gani Fawehinmi, Ume Ezeike, Alabi Masha, Felix Offia, David Akenzua, Abdullahi Ibrahim, under the platform of the Nigerian Legal Aid

Association, to fight for the forgotten detainees in the Nigerian prisons. His pioneering efforts in legal aid services was what culminated into the Legal Aid Council as we now have it. Chief Ikeazor was reported to have sold his land at some point to invest in the cause of free legal service. That is the spirit of an ideal lawyer! I commend the Honourable Attorney General of the Federation and Minister of Justice, Mr. Abubakar Malami, CON, SAN, for the thoughtfulness of recognizing this legal icon with the renaming of the Legal Aid Council Building after Chief Chimezie Ikeazor, SAN

This is why our administration is strong on ensuring that lawyers observe the highest ethical and professional standards, because only then can we deliver on our primary call to the people. We must quit using our legal skills and knowledge only for remuneration. While remuneration for the services we render is good, we must not make it the primary motivation for the work we do – we must be primarily motivated by the cause of the people. That is the path for national development.

We have, in this maiden State of the Nation Dialogue, chosen three thematic areas of security, economy and administration of justice. We will, using our carefully selected Keynote Speaker and Panellists on the three subjects, set the tone for the nation from the perspective of the NBA. We have invited all the Presidential candidates to participate in this conversation in the hope that whoever wins the election, we would have a basis to further engage and hold government accountable to the people of Nigeria. We shall document the position of the NBA from this Dialogue and make the same available to all the Presidential candidates. We believe that doing this will also help in re-establishing our leadership position in the society, based on our service to the people, while ensuring that we protect the legal space and mentor the younger generation in this path of nobility.

To serve as a constant reminder to all members of the legal profession, I have in consultation with the National Executive Committee, decided to name the NBA House in Lagos, our first national Secretariat, after the first lawyer in Nigeria, Sir Christopher Alexander Sapara Williams, CMG. The House is henceforth to be known as Sir Christopher Alexander Sapara Williams House, with the inscription **“the Legal Practitioner Lives for the Direction of his People and the Advancement of the Cause of his Country”** boldly written under his name.

I therefore urge everyone here present to relax and partake in the conversations that will go on here today, as I have no doubt that it will be worth your while.

Once more I welcome you all to the NBA House for this State of the Nation Dialogue!



**Yakubu Chonoko Maikya OON, SAN**  
PRESIDENT