

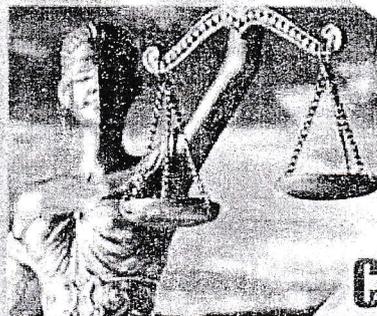
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**NIGERIAN ASSOCIATION OF LAW TEACHERS  
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**ACCREDITATION OF LAW PROGRAMMES: ISSUES, PROBLEMS AND SOLUTIONS**

**By**

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## Abstract

*With the proliferation of Law Faculties in Nigerian Universities, there is an urgent and recurring need to maintain standard in terms of facilities, academic and non-academic staff and cognate requirements. This is best situated within the context of poor funding of universities and limited manpower to run the universities and the Law faculties in particular. There is also the dual accreditation programme involving the National Universities Commission (NUC) and the Council of Legal Education (CLE). What is the synergy between the NUC and the CLE as it relates to accreditation of Law programmes? What criteria have been developed to accredit law programmes? Are they in line with international standards of accreditation? This paper will consider the issues arising from the accreditation, the observed problems and attempt to proffer solutions within the context of clamor for more faculties of law in Nigerian Universities.*

**Keywords:** Accreditation, Basic Minimum Academic Standard (BMAS), Council of Legal Education, National Universities Commission

## 1.0 INTRODUCTION

Before the establishment of the first faculties of law in a Nigerian university,<sup>1</sup> legal training was principally in the United Kingdom. This was not unrelated to our colonial history.<sup>2</sup> There was the need to have legal training that is tailored towards correcting the obvious gaps in the learning from the United Kingdom alone. A Nigerian trained in the United Kingdom will not have been exposed to the aspects of Nigerian law such as customary law, the Nigerian constitution. Furthermore, a lawyer is expected to train either as solicitor or barrister. It was not even a requirement that the student attend University. It was sufficient that an aspirant to the English bar got admitted to the Inns of Court and the minimum educational qualification was the G.C.E O' Level with a further requirement to keep the 12 dinner terms. After his call to the bar, he is required to take the three month post-call practice and serve a one year compulsory pupillage.<sup>3</sup> In view of these disparities and challenges, there is the need for courses taught in Nigerian universities to accord with the basic philosophy for training lawyers in Nigeria.

This led to the setting up of the Unsworth Committee in April 1959 'to consider and make recommendations for the future of the legal profession in Nigeria with particular regard to legal

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<sup>1</sup> The first law Faculty in Nigeria was the University of Nigeria Nsukka (1961). Others were the University of Lagos (1962), Ahmadu Bello University Zaria (1962) the University of Ife (now Obafemi Awolowo University) (1962).

<sup>2</sup> By Order 15 of the Supreme Court Civil Procedure Rules the Chief Justice of the Federation was empowered to admit to practice any person who satisfies him that he is entitled to practice as a barrister and solicitor in England, Scotland or Ireland and that he is of good character.

<sup>3</sup> Olakunle Orojo, 'A Brief Historical Profile of the Nigerian Law School' *Fifty Years of Legal Education In Nigeria-Challenges and Next Steps* (Abuja, Council of Legal Education 2013) , 7

education and admission to practice<sup>4</sup>. The committee's report was submitted in October 1959 with the following recommendations<sup>5</sup>:

1. Nigeria should establish its own system of legal education;
2. A faculty of law should be established, first at the University College, Ibadan and subsequently at any other University to be established in future;
3. A law school to be known as the Nigerian Law school was to be established in Lagos to provide vocational training of legal practitioners in the work of Barrister and Solicitor;
4. The qualification for admission to legal practice in Nigeria should be a degree in law of any University whose course for the degree is recognized by the Council of Legal Education, and the vocational course prescribed by the Council;
5. Any person graduating in law from a University, which has not accepted the syllabus recommended by the Council of Legal Education should be required to take such further examination as the Council, may prescribe; and
6. A Council of Legal Education should be established.

The recommendations were the foundation for the Legal Education Act and the Legal Practitioners Act<sup>6</sup>. From the recommendations, an applicant for admission to the Nigerian bar must possess a degree from a recognized (accredited) university by the Council of Legal Education. Therefore, the Council has to formulate guidelines for recognition (accreditation). This necessitated the need to examine the universities offering law degrees<sup>7</sup> to ensure that the stipulated standard is met for legal training. This is done through accreditation.

In this paper we shall examine the need for accreditation of law programmes, bodies that can accredit, criteria for accreditation, issues related to accreditation, challenges and recommendations.

## 2.0 NEED FOR ACCREDITATION

To 'accredit' means to give official authorization or status to something or to recognize (a school or institution) as having sufficient academic standards to qualify graduates for higher education or for professional practice.<sup>8</sup> 'Accreditation' also means a system of evaluating academic programmes in Nigerian universities as having met the provisions of the minimum academic standards document.<sup>9</sup>

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<sup>4</sup> See Report of the Committee on the Future of Nigerian Legal Profession (Lagos, Federal Government Press, 1959)1

<sup>5</sup> Ibid, Augustine Alegeh, 'Legal Education in Nigeria: Way Forward' *Fifty Years of Legal Education In Nigeria-Challenges and Next Steps* (Abuja, Council of Legal Education 2013) 151,155, Yusuf Dadem, 'Recent Developments on Continuing Legal Education in Nigeria' *Fifty Years of Legal Education In Nigeria-Challenges and Next Steps* (Abuja, Council of Legal Education 2013), 171

<sup>6</sup> Both of 1962. The Legal Education Act, section 1(1), established the Council of Legal Education. It is now the Legal Education (Consolidation etc ) Act cap L10 LFN 2004.

<sup>7</sup> At the time of preparing this paper, 16 Federal universities, 21 State universities and 22 private universities are recognized for law programme with varying layers of Accreditation-Full, Provisional, interim, and approval to commence. Some have their accreditation suspended or subject to CLE approval

<sup>8</sup> Bryan Garner (ed), *Black's Law Dictionary*, 9<sup>th</sup> Edition (St. Paul, West Publishing Co. 2009) 23

<sup>9</sup> Manual of Accreditation Procedure for Academic Programmes in Nigerian Universities (MAP) (Abuja, National Universities Commission, 2012) 5. According to the NUC Benchmark Minimum Academic Standards for

The Legal Education (Consolidation, etc) Act<sup>10</sup> confers on the CLE the responsibility for legal education of persons seeking to be members of the legal profession.<sup>11</sup> The Act also empowers the CLE to issue qualifying certificate for call to the Bar if:

- a. he is a citizen of Nigeria; and
- b. he has, except where the Council otherwise directs, successfully completed a course of practical training in the Nigerian Law School which (including the time spent in taking the examination at the end but excluding any interval between the conclusion of the examination and the announcement of the results thereof) lasted for a period fixed by the Council as an academic year.<sup>12</sup>

Relying on section 2(5) of the Act, the Council has prescribed conditions for students seeking admission to Nigerian Law School as they must have any of the following qualifications:

- (a) A Law Degree of an approved University
- (b) A pass in the English, Irish or Scottish Bar Final Examinations.
- (c) A pass in the English, Irish or Scottish Solicitors' Final Examinations.

The Act however, does not empower the Council to set admission requirements for admissions to the University.<sup>13</sup> Hence individual universities set their own standards. There was therefore a necessity to harmonize the conditions set by the CLE and the universities. A situation of dual training and test of competence is foisted on the authorities in relation to training of persons seeking to be legal practitioners in Nigeria.<sup>14</sup>

### **3.0 COLLABORATION BETWEEN THE COUNCIL OF LEGAL EDUCATION AND THE NATIONAL UNIVERSITIES COMMISSION**

Section 4 (b) (i) & (iii) of the National Universities Commission Act<sup>15</sup> provide that the commission shall have power in relation to universities to oversee:

- (i) the general programmes to be pursued by the universities, in order to ensure that they are fully adequate to meet national needs and objectives;

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Undergraduate Programmes in Nigerian Universities 2014, (BMAS 2014) accreditation of Law programmes will serve as a system of ensuring a level of performance, integrity and quality that ensures the relevance of the programme to the broader educational and professional community, the students, and employers of labour. See p. 8-9

<sup>10</sup> Cap L10 LFN 2004

<sup>11</sup> Section 1 (2)

<sup>12</sup> Section 5(1)

<sup>13</sup> The Council under this provision insists that only degrees awarded by a university in the common law jurisdictions and to internal students only will be considered. Attempts were made to list compulsory courses to be taken at the University.

<sup>14</sup> A similar situation seems to exist in the United Kingdom where the quality control unit of the Ministry of Education regulates standard in the university and the Law society accredits universities for training for the Bar examinations as solicitors or Barristers

<sup>15</sup> Cap N81, LFN 2004

(iii) recommendations for the establishment of new academic units in existing universities or the approval or disapproval of proposals to establish such academic units.

The Education (National Minimum Standards and Establishments of Institutions) Act<sup>16</sup> specifically confers on the National Universities Commission the power to prescribe minimum standards in universities<sup>17</sup>. From the provisions of this statute and the Legal Education (Consolidation etc) Act, there is bound to be conflict in setting standards in universities accreditation for Law degrees. The National Universities Commission in April 2007 issued the Benchmark Minimum Academic Standards (BMAS) for Undergraduate Programmes in Nigerian Universities. This was a revision of the existing 2001 Minimum Academic Standard (MAS). The 2007 BMAS was revised in 2014 with minor amendments. BMAS is produced for several academic disciplines including Law. In the Preface to the document, the Executive Secretary of the Commission, while referring to the 2001 MAS and the need to revise the document, emphasized that the content-based MAS were rather prescriptive. It was imperative to develop outcome-based benchmark statements for all programmes in line with contemporary global practices. The result of a stakeholders' deliberation was the development of curriculum for each course<sup>18</sup>. It is stated as follows: 'Given this scenario, the commission therefore considered the merger of the Benchmark Style Statements and the revised Minimum Academic Standards into new documents to be called Benchmark Minimum Academic Standards (BMAS) as an amalgam that crisply enunciates the learning outcomes and competences expected of graduates of each academic programmes without being overly prescriptive while at the same time, providing the requisite flexibility and innovativeness consistent with a milieu of increased institutional autonomy'<sup>19</sup>

In developing the curriculum in Law, the philosophy and objective is that 'a law graduate must be able to use law a tool for the resolution of various social, economic and political conflicts in society. The training in Law is specifically aimed at producing lawyers whose level of education would equip them properly to serve as advisers, solicitors or advocates to governments and agencies, companies, business firms, associations, individuals and families etc---In the new millennium, the faculties of law in the country should approach the study of law as a discipline of learning in tertiary institutions from the vintage of law as it functions in society and not just as rules that have been set and must be applied against the backdrop of our colonial legal heritage which still persists'<sup>20</sup>. Subsequently, the Council of Legal Education and the National Universities Commission established a joint team to issue guidelines and conditions that must be met by a university seeking to establish a faculty of law in Nigeria.

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<sup>16</sup> Cap E3 LFN 2004

<sup>17</sup> See section 10

<sup>18</sup> See the NUC Benchmark Minimum Academic Standards for Undergraduate Programmes in Nigerian Universities 2007, p.2, and BMAS Law 2014, p.ii

<sup>19</sup> Ibid p. 2. In the BMAS Law 2014, the rationale for merger of the Benchmark Minimum Standards and the MAS into BMAS is stated as: 'Following comments and feedback from critical stakeholders in the universities indicating that the Benchmark-style Statements were too sketchy to meaningfully guide the development of curricula and were also inadequate for the purpose of accreditation, the Commission put in place the mechanism for the merger of the Benchmark-style Statements and the revised Minimum Academic Standards into new documents referred to as the Benchmark Minimum Academic Standards (BMAS)'. P. ii

<sup>20</sup> Ibid p.6. see also Ojukwu Ernest, 'Trends in Legal Education: A Comparative Analysis of Nigeria, USA, UK and South Africa' in *Nigerian Law School Four Decades of Service to the Legal Profession*, Council of Legal Education (2003)p.134

The result of the collaboration between the CLE and the NUC is that any accreditation team usually has both parties represented. We are of the opinion that this has ameliorated the controversy that had existed in accreditation of Law in universities in Nigeria.

#### **4.0 CRITERIA FOR ACCREDITATION**

These guidelines are mandatory and students are not to be admitted or enrolled into any proposed Faculty of Law unless and until the necessary approval has been granted by the NUC and the CLE<sup>21</sup>. Recently, a moratorium was placed on the establishment of Faculties of Law.<sup>22</sup> Any Law programme commenced in any university during the period will be declared illegal.

As part of the accreditation process, universities are categorized as having Full accreditation, Provisional Accreditation, Accreditation Suspended, Undergoing Accreditation or Approval to Commence.

A faculty is said to have full accreditation where it has complied with all CLE requirements<sup>23</sup>. Where the faculty has only substantially complied with the CLE requirements, it will be awarded a Provisional Accreditation. Sometimes the CLE may give approval for commencement of the Faculty subject to further accreditation. This is an interim accreditation. If the University application to commence law is being considered but not yet approved for admission of students, it will be said that the faculty is 'Undergoing Accreditation'. A university may be given 'Approval to commence' with the intention that the university can admit students subject to other approval requirements.<sup>24</sup> If a university is granted a provisional accreditation subject to meeting certain requirements within a period and fails to do so, the accreditation may be suspended.

The following are the guidelines as developed by the CLE and NUC for establishment of faculties of law in Nigeria:

1. Academic Brief: There must be evidence that the proposed Law program is contained in the approved Academic Brief of the university and it is proposed to be established at the appropriate phase.
2. Senate Approval: There must be evidence of prior approval of the University Senate on the establishment of the Faculty of Law (Extract of the Senate decision must be attached).
3. Non-Law Courses: No Faculty of Law would be established in any university where non-law complementary (compulsory and optional) programs are not fully established and have earned full accreditation.

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<sup>21</sup> This part of the paper is taken from the 'Guidelines & Conditions for the Establishment of Faculties of Law in Nigeria' (Abuja, Council of Legal Education) 10-114, NUC Benchmark Minimum Academic Standards for Undergraduate Programme in Nigerian Universities (2007) National Universities Commission Programme Evaluation Form.

<sup>22</sup> A moratorium was put in place in 2004 after a meeting between the CLE and the NUC. It was to be in place for 10 years. However, in 2009 the moratorium was lifted due to pressure on both the CLE and the NUC. Some universities which breached the moratorium were sanctioned.

<sup>23</sup> The University of Lagos is the only university on full accreditation as at January 2019.

<sup>24</sup> Resource verification is first done by the NUC and then CLE. It seems that once resource verification is done, approval to commence is granted to the university with a quota of 50 students. Accreditation exercise will follow subsequently at intervals.

4. Number of Departments: The Faculty of Law to be established must have a minimum of two departments as defined in the Benchmark Minimum Academic Standards (BMAS) in Law.
5. Staffing:
  - i. Academic Staff: There shall be a minimum of six fulltime academic staff in each of the two departments.
  - ii. Staff mix: The staff mix must satisfy the staff pyramidal structure as contained in the BMAS in Law.<sup>25</sup>
  - iii. Non-Academic Staff: Non-academic staff of the Faculty shall satisfy the requirements as contained in the BMAS in Law.
6. Law Library
  - i. The proposed Faculty of Law must have a separate Law Library that is ICT compliant, fully supported with e-library and has at least a subscription to one of the basic legal data bases e.g. Hein-on-line, West Law, LexisNexis, etc.
  - ii. There must be sufficient Law Reports with three years backlog issues, sufficient number of current books and Journals, etc as detailed in the BMAS in Law.
  - iii. The Law Library must be manned by a professional librarian with a Law degree.
  - iv. The Library shall be able to accommodate at least one-third of the projected ultimate student population as contained in the Academic Brief of the university
7. Physical Facilities:
  - i. There should be a separate and distinct law faculty complex, exclusively for law programs. The building should be provided with functional conveniences for staff, students and visitors.
  - ii. Classrooms/ Seminar Rooms: The Law Faculty should have a minimum of 5 class rooms and 5 seminar rooms with seating capacity of 50 students each. Each of the classrooms should be well-equipped with modern teaching and learning aids.
  - iii. Auditorium: There shall be a well-equipped auditorium that can accommodate the ultimate projected students' population.
  - iv. Staff Office: There should be well-equipped staff offices. Each staff must have an office exclusively to his/herself.
  - v. Moot Court: There must be a well-spaced, well-equipped Moot Court specially designed to suit the purpose, and having rooms for judges' chambers, barristers' rooms, dressing rooms, etc. It should be equipped with video camera, projectors, public address system etc.
  - vi. Student Common Room: There shall be a standard student common room with offices for students' activities.
  - vii. Dean and Heads of Departments Offices: A standard, well-furnished and equipped Dean and Heads of Department Offices should be provided with all relevant supporting staff offices including editorial office.

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<sup>25</sup> Every department of a law faculty should have a minimum of five (5) academic staff, and every faculty should have at least one Professor. The students-Teacher ratio should be in accordance with the extant NUC guidelines. The ratio is 1: 30 by the NUC BMAS 2007 & 2014. Similarly, the non-academic staff ratio shall be as per NUC guidelines See pp. 11-12 *infra*. It is for universities intending to establish faculties of law to confirm the extant NUC guidelines.

8. Learning Environment: The Faculty of Law building must be well-equipped with safety equipment and well-mapped-out exit in case of emergency. The environment should be well kept and landscaped.
9. Funding: There must be evidence of provision of adequate funding for the Law faculty.
10. Curriculum: The proposal to commence Law program must contain a detailed curriculum which shall include teaching delivery method with emphasis on introducing clinical legal education.
11. Induction Number: Particulars of admitted students at inception and subsequent years shall be forwarded to the Council of Legal Education for assignment of Induction numbers which shall be used for the purpose of admission into the Nigerian Law School.
12. Conveyance of Approval: The letter conveying approval to establish a Faculty of Law shall specify:
  - i. The commencement year.
  - ii. Admission quota which shall be reviewed only at the instance of the NUC and CLE, and
  - iii. Possible date (year) of first accreditation visit.
13. Law Programmes commenced during the currency of the moratorium remain illegal, unapproved, and unrecognized.

It is remarkable that the grading of a university in terms of quota of admission will be dependent on the ability to meet the criteria set by the CLE and NUC. A classic example is the classroom requirement as contained in the NUC (BMAS). As an example, Faculties that will have an intake of 50 or 250 must meet the following:<sup>26</sup>

A Faculty that admits 50 students annually should have the following facilities: -

- (i) one classroom that can accommodate 250 students
- (ii) one classroom that can accommodate 150 students
- (iii) two classrooms that can accommodate 100 students
- (iv) five classrooms that can accommodate 40 – 50 students
- (v) A students' common room measuring approximately 15m x 8m

Such a faculty may use the bigger classroom as its assembly hall when and if the need arises. It can also use the medium-sized classrooms as a moot-court.

#### **Faculties with Students Intake of 250**

A big law faculty with such a large population of students should have the following facilities:

- (i) two (2) classrooms each capable of accommodating 250 students.
- (ii) three (3) classrooms, each capable of accommodating 150 students.
- (iii) three (3) classrooms, each capable of accommodating 100 students.
- (iv) ten (10) tutorial rooms, each capable of accommodating 40 – 50 students.
- (v) one moot court capable of accommodating 250 students at a time, but specially designed to suit the purpose and have rooms for judges' chamber as well as barristers' chambers and dressing rooms.
- (vi) a students' common room measuring approximately 300sq.m, with offices for students' union activities, including editorial office for their journals.
- (vii) an auditorium or lecture theatre capable of holding 1,000 to 1,500 students at a time.

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<sup>26</sup> See NUC (BMAS) 2007, p.14, NUC BMAS Law 2014, pp.12-13

- (viii) a computer room capable of accommodating at least 50 students as well as microcomputers, word processors and other needed equipment.

Below is a table of the Universities with various level of accreditation:<sup>27</sup>

**FEDERAL UNIVERSITIES**

| S/N | UNIVERSITIES                   | STATUS                    | APPROVED QUOTA |
|-----|--------------------------------|---------------------------|----------------|
| 1   | UNIVERSITY OF IBADAN           | PROVISIONAL ACCREDITATION | 150            |
| 2   | UNIVERSITY OF LAGOS            | FULL ACCREDITATION        | 270            |
| 3   | UNIVERSITY OF NIGERIA , NSUKKA | PROVISIONAL ACCREDITATION | 220            |
| 4   | UNIVERSITY OF MAIDUGURI        | PROVISIONAL ACCREDITATION | 200            |
| 5   | UNIVERSITY OF BENIN            | PROVISIONAL ACCREDITATION | 180            |
| 6   | UNIVERSITY OF JOS              | PROVISIONAL ACCREDITATION | 170            |
| 7   | UNIVERSITY OF CALABAR          | PROVISIONAL ACCREDITATION | 170            |
| 8   | UNIVERSITY OF ILORIN           | PROVISIONAL ACCREDITATION | 150            |
| 9   | UNIVERSITY OF UYO              | PROVISIONAL ACCREDITATION | 150            |
| 10  | OBAFEMI AWOLOWO UNIVERSITY     | PROVISIONAL ACCREDITATION | 250            |
| 11  | BAYERO UNIVERSITY , KANO       | PROVISIONAL ACCREDITATION | 220            |

<sup>27</sup> See <https://www.currentschoolnews.com/school-news/credited-faculties-of-law-in-nigeria/> accessed on May 31, 2019. This has been updated from the records of CLE especially for new private universities.

|    |                            |                                   |     |
|----|----------------------------|-----------------------------------|-----|
| 12 | USMAN DAN FODIO UNIVERSITY | PROVISIONAL ACCREDITATION         | 80  |
| 13 | AHMADU BELLO UNIVERSITY    | PROVISIONAL ACCREDITATION         | 280 |
| 14 | UNIVERSITY OF ABUJA        | PROVISINAL ACCREDITATION RESTORED |     |
| 15 | NNAMDI AZIKIWE UNIVERSITY  | PROVISIONAL ACCREDITATION         | 180 |
| 16 | UNIVERSITY OF PORTHARCOURT | APPROVAL TO COMMENCE              | 50  |

**STATE UNIVERSITIES**

| S/N | UNIVERSITIES                              | STATUS                    | APPROVED QUOTA |
|-----|---|---------------------------|----------------|
| 1   | ADEKUNLE AJASIN UNIVERSITY                | PROVISIONAL ACCREDITATION | 50             |
| 2   | EBONYI STATE UNIVERSITY                   | INTERIM ACCREDITATION     | 150            |
| 3   | EKITI STATE UNIVERSITY                    | PROVISIONAL ACCREDITATION | 60             |
| 4   | ABIA STATE UNIVERSITY                     | INTERIM ACCREDITATION     | 130            |
| 5   | DELTA STATE UNIVERSITY                    | PROVISIONAL ACCREDITATION | 120            |
| 6   | ENUGU STATE UNIVERSITY OF SCIENCE & TECH. | PROVISIONAL ACCREDITATION | 100            |
| 7   | KOGI STATE UNIVERSITY                     | PROVISIONAL ACCREDITATION | 60             |
| 8   | RIVERS STATE UNIVERSITY                   | PROVISIONAL ACCREDITATION | 250            |

|    |  |                           |     |
|----|--|---------------------------|-----|
| 9  | NASARAWA STATE UNIVERSITY  | PROVISIONAL ACCREDITATION | 40  |
| 10 | AMBROSE ALLI UNIVERSITY  | PROVISIONAL ACCREDITATION | 120 |
| 11 | OLABISI ONABANJO UNIVERSITY  | PROVISIONAL ACCREDITATION | 170 |
| 12 | OSUN STATE UNIVERSITY  | INTERIM ACCREDITATION     | 50  |
| 13 | BUKAR ABBA IBRAHIM UNIVERSITY  | APPROVAL TO COMMENCE      | 50  |
| 14 | UMARU MUSA YAR'ADUA UNIVERSITY   | APPROVAL TO COMMENCE      | 50  |
| 15 | IMO STATE UNIVERSITY   | PROVISIONAL ACCREDITATION | 100 |
| 16 | BAUCHI STATE UNIVERSITY  | APPROVAL TO COMMENCE      | 50  |
| 17 | CHUKWUEMEKA ODIMEGWU OJUKWU UNIVERSITY (ANAMBRA STATE UNIVERSITY OF SCIENCE AND TECH.) | INTERIM ACCREDITATION     | 100 |
| 18 | LAGOS STATE UNIVERSITY   | ACCREDITATION SUSPENDED   | NIL |
| 19 | BENUE STATE UNIVERSITY   | ACCREDITATION SUSPENDED   | NIL |
| 20 | NIGER DELTA UNIVERSITY   | INTERIM ACCREDITATION     | 40  |
| 21 | EDO STATE UNIVERSITY   | APPROVAL TO COMMENCE      | 50  |

**PRIVATE UNIVERSITIES**

| S/N | UNIVERSITIES                     | STATUS                    | APPROVED QUOTA |
|-----|----------------------------------|---------------------------|----------------|
| 1   | IGBINEDION UNIVERSITY            | PROVISIONAL ACCREDITATION | 100            |
| 2   | AFE BABALOLA UNIVERSITY          | APPROVAL TO COMMENCE      | 180            |
| 3   | CRESCENT UNIVERSITY              | APPROVAL TO COMMENCE      | 50             |
| 4   | BABCOCK UNIVERSITY               | PROVISIONAL ACCREDITATION | 100            |
| 5   | BAZE UNIVERSITY                  | APPROVAL TO COMMENCE      | 50             |
| 6   | AMERICAN UNIVERSITY OF NIGERIA   | APPROVAL TO COMMENCE      | 50             |
| 7   | BOWEN UNIVERSITY                 | PROVISIONAL ACCREDITATION | 50             |
| 8   | BENSON IDAHOSA UNIVERSITY        | INTERIM ACCREDITATION     | 60             |
| 9   | NIGERIAN TURKISH NILE UNIVERSITY | APPROVAL TO COMMENCE      | 50             |
| 10  | JOSEPH AYO BABALOLA UNIVERSITY   | APPROVAL TO COMMENCE      | 50             |
| 11  | AL-HIKMAN UNIVERSITY             | APPROVAL TO COMMENCE      | 50             |
| 12  | LEADCITY UNIVERSITY              | APPROVAL TO COMMENCE      | 50             |
| 13  | AJAYI CROWTHER UNIVERSITY        | APPROVAL TO COMMENCE      | 50             |
| 14  | EDWIN CLARK UNIVERSITY           | APPROVAL TO COMMENCE      | 50             |
| 15  | MADONNA UNIVERSITY               | APPROVAL RESTORED         | 50             |
| 16  | ELIZADE UNIVERSITY               | APPROVAL TO COMMENCE      | 50             |
| 17  | SALEM UNIVERSITY                 | APPROVAL TO COMMENCE      | 50             |
| 18  | GREGORY UNIVERSITY               | APPROVAL TO COMMENCE      | 50             |

|    |                                    |                                |    |
|----|------------------------------------|--------------------------------|----|
| 19 | ARCHIEVERS UNIVERSITY<br>OWO       | APPROVAL TO COMMENCE           | 50 |
| 20 | NOVENA UNIVERSITY<br>OGUME         | SUBJECT TO COUNCIL<br>APPROVAL |    |
| 21 | WESTERN DELTA<br>UNIVERSITY OGHARA | SUBJECT TO COUNCIL<br>APPROVAL |    |
| 22 | GODFREY OKOYE<br>UNIVERSITY        | APPROVAL TO COMMENCE           | 50 |

The accreditation is always subject to review. It is not a case of once accredited, always accredited. For an evaluation of the law programme, accreditation visit is undertaken at intervals to determine whether the programme can continue in the university having in mind the philosophy and objectives of the programme. Areas of evaluation will be in six critical areas: Academic matters, Staffing, Physical facilities, Library, Funding, and Employer's Rating of Graduates.<sup>28</sup>

Presently, by the BMAS 2014,<sup>29</sup> a law faculty should have a minimum of two (2) departments and a maximum of six (6) as follows:

- (a) Department of Private and Property Law (PPL)
- (b) Department of Jurisprudence and International Law (JIL)
- (c) Department of Commercial and Industrial Law (CIL)
- (d) Department of Public Law (PUL)
- (e) Department of Clinical Legal Education and Training (CLE).
- (f) Department of Islamic and/or Customary Law(ICL)

## 5.0 CHALLENGES TO ACCREDITATION AND RECOMMENDATIONS

**Number of Universities:** The number of universities makes the task of effective accreditation difficult. Presently we have about 59 universities. The number keeps growing. Thorough accreditation can be challenging with this size.

**Manpower:** The available manpower is inadequate. The NUC does not have sufficient officers of the cadre required to do accreditation. Even in the Council of Legal Education, the members are Deans of Law and Attorneys General of the States with busy schedule. It becomes difficult to fix a time agreeable to all parties for the accreditation. Specifically, the present composition of the accreditation team of the CLE is the Director –General as Chairman, the Secretary to Council of Legal Education and Director of Administration, a Dean of a law faculty (which is a member of the Council), a Deputy Director-General and Head of a Campus of the Law School, Librarian of

<sup>28</sup> See Form NUC/PEF.

<sup>29</sup> Par 1.1. See also the Guidelines for Establishment of Law Faculties infra. In the 2007 BMAS, Six Departments were also recognized without the department of Clinical Legal Education and Training (CLE)

the Law School and the secretary (usually a director in charge of accreditation of the CLE). It is our opinion that this team is inadequate for the task.

Funding of accreditation process: There is no independent funding for accreditation. The CLE provides funds within its limited budget. Universities are expected to provide accommodation and other conveniences for the team. The quality of provision will vary from university to another. This may have an effect on the accreditation team.

Unethical behavior by Universities: As soon as most universities are aware that an accreditation team is visiting the school, make -shift arrangements are made including 'borrowing' a library from practitioners in town. In some cases, lecturers who may be categorized as mercenaries, have their names featuring in the academic list of more than one university.<sup>30</sup>

Breach of Quota by Universities upon Approval to Commence: Once universities commence the law programmes with 50 students,<sup>31</sup> they begin to put pressure on CLE for more students to be admitted. Because CLE is slow in doing so, the faculties, breach their set quota and admit beyond the approved quota. During the accreditation exercise, it is not unusual to have the faculty and university management request that the quota be increased even when the admission is clearly against the approval given.

Lack of preparation by the universities prior to visit: Faculties are often required to send some documents to CLE many weeks before the visit. In some cases, the documents sent are either incomplete or erroneous. A typical example is the curriculum vitae of the academic staff. There is noncompliance with approved format. Some of the documents may also be sent late. These affect the thoroughness of the work of the accreditation team.

Selection Criteria of accreditation team: The mind set of members of an accreditation team cannot be determined. Members of the team may unfortunately have their biases towards a university positively or negatively. Some scoring criteria are subjective. This is manifested in the scores. Hence, a possibility of discrepancy in the outcomes. A university which may ordinarily not pass accreditation may inadvertently be graded positively because of the composition of the panel.

It is recommended that a moratorium be placed restricting new faculties of law. Establishing a law faculty is considered prestigious and considered a must for all state and private universities. Promoters of such universities should be ready to abide by laid down requirements before venturing into the project. There is need for political will to limit the proliferation of faculties of law.<sup>32</sup> This is a task before all of us. Each state of the federation or private university must not have a faculty of law. The existing faculties must be strengthened.

There is the need to have a data bank of all faculty members in faculties of law in Nigeria. This will solve the recurring problem of mercenaries on the academic faculty of several universities.

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<sup>30</sup> Niki Tobi, 'Meeting the Needs of the Profession and the Nation: A view from the Bench' in *Nigerian Law School, Four Decade of Service to the Legal Profession*, (Abuja, Council of Legal Education, 2004, 7

<sup>31</sup> Based on 'Approval to Commence'

<sup>32</sup> Niki Tobi, 'Meeting the Needs of the Profession and the Nation: A view from the Bench' Ibid , 79

Funding of accreditation process: This should be independent and adequate as far as practicable. Transportation, accommodation and other logistics of the team should be handled independent of the university. A mechanism for independent funding should be developed.

The CLE should consider expanding its accreditation team. Where a university admits students in flagrant breach of approved quota, the CLE should as a rule, not conduct any accreditation exercise to such faculty of law.

## 6.0 CONCLUSION

Effective accreditation is critical to law faculties. This will have an impact on the quality of students admitted to the Law School and subsequently called to the Bar. The collaboration between the CLE and the NUC within the confines of the enabling statutes will make for effective accreditation. The identified challenges can be overcome by all stakeholders if we all do our part in ensuring proper accreditation.