

# Accreditation of Law Programmes in Nigeria: A Case for Review

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## To cite this article:

Nasiru Tijani, Gbemi Odusote. Accreditation of Law Programmes in Nigeria: A Case for Review. *International Journal of Law and Society*. Vol. 5, No. 4, 2022, pp. 350-358. doi: 10.11648/j.ijls.20220504.12

**Received:** September 27, 2022; **Accepted:** October 20, 2022; **Published:** October 28, 2022

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**Abstract:** The number of Law Faculties in Nigeria have increased exponentially since the first four Law Faculties were established in the country in the early sixties. Accreditation is a pre-condition for the take-off of such faculties, and it is undertaken by the Council of Legal Education (CLE) and the National Universities Commission (NUC). The roles of these institutions are complimentary, and one is not superior to the other. It is necessary to interrogate the process of accrediting the Law Faculties to ensure that the desired goals for their establishment are met and sustained. While adopting doctrinal approach, this article discusses the process of accreditation of Law Faculties in Nigeria and argues that while the criteria have been clearly stated, implementing them is fraught with subjectivity and challenges that include unethical behaviour by the Universities and the high cost of undertaking the exercise both on the Universities and the accrediting bodies. This paper recommends that establishment of new Law Faculties should be suspended while the existing ones are strengthened. These call for political will on government and promoters of universities. In addition, consistency in the implementation of the standards may be achieved by departing from *ad hoc* panels to a permanent body.

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

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## 1. Introduction

The number of Law faculties in Nigeria has grown exponentially from the four established following the recommendation of the Unsworth Committee,<sup>1</sup> in 1959 to about 68 in mid- 2022.<sup>2</sup> The reasons for the increase does not fall within the scope of this paper but include both political and financial factors. Be that as it may, while this growth shows development and expansion, it comes with challenges related to uniformity in standard and delivery of quality law training to aspirants to the legal profession. To ensure that standards in legal training are maintained across the universities, the

National Universities Commission (NUC) and the Council of Legal Education (CLE), although in the past conducted accreditation of law faculties independently, have recently decided to collaborate and conduct accreditation of law programmes proposed or implemented by proposed or existing law faculties. Accreditation is imperative to stem the inadvertent lowering of standards that will attend uncontrolled establishment of law faculties by politicians or rich individuals who are bent on including law training into the curriculum of universities. Law faculties are also accredited to ensure that the stipulated standard is met for legal training. Notwithstanding the periodic accreditation of Law faculties, there is an avalanche of criticisms on the fallen standard of legal education. This paper interrogates these criticisms by examining the accreditation of Law faculties. This it does by adopting a doctrinal approach and engages with the need for accreditation of law programmes, bodies that accredit, the accreditation criteria as well as challenges bedevilling accreditation of law faculties in a multi-ethnic society like

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1 See Report of the Committee on the Future of Nigerian Legal Profession (Lagos, Federal Government Press, 1959) 1.

2 At the time of preparing this paper, 16 Federal universities, 23 State universities and 29 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.

Nigeria. It questions whether accreditation can be objectively done even though that may appear to be the intention for putting the process in place. Accreditation may relate to the institution or to the programme [1]. This article discusses accreditation of law programmes in Nigerian universities.

## 2. Need for Accreditation

As a noun, 'accredit' means to give official authorisation 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 [2]. While the verb 'Accreditation' means a system of evaluating academic programmes in Nigerian universities as having met the provisions of the minimum academic standards document.<sup>3</sup> In other words, accreditation is a process whereby academic programmes of a university or faculty is reviewed. Accreditation is a form of regulation that is aimed at quality assurance at two levels. The first is at the commencement of a programme and the second is at periodic intervals thereafter [3]. That is, accreditation aims at ensuring minimum qualification but also quality improvement [3, 4]. It is also a means for rating the institutions on predetermined criteria thereby being a source of competition among institutions and prospective students [3].

Accreditation of legal training in Nigeria is conducted by two bodies. These are the National Universities Commission (NUC) and the Council of Legal Education (CLE).<sup>4</sup> The NUC's role in accreditation is to ensure that the course content offered for training to become a law graduate is adequate,<sup>5</sup> while the CLE's role in accreditation is from the point of view of professional standard for lawyers. CLE's powers are derived by virtue of the Legal Education (Consolidation, etc) Act 2004, (LECA)<sup>6</sup> which confers on the CLE the responsibility for legal education of persons seeking to be members of the legal profession.<sup>7</sup> That is, the CLE accredits to ensure that the training meets the professional requirement for those aspiring to become legal practitioners in Nigeria [5]. On the other hand, the NUC accredits the academic content of the legal training [1]. Both the NUC and the CLE are both statutory bodies and have mandatory functions to accredit institutions/ law programmes,<sup>8</sup> and as would be argued later, it is doubtful if one is superior to the other.

The LECA also empowers the CLE to issue qualifying

certificate for call to the bar to any individual, if:

- 1) He is a citizen of Nigeria; and
- 2) He has, except 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>9</sup>

Relying on Section 2 (5) of the Act, the CLE prescribes conditions for students seeking admission to the Nigerian Law School as they must have any of the following qualifications:

- 1) A Law Degree of an approved University.
- 2) A pass in the English, Irish or Scottish Bar Final Examinations.
- 3) A pass in the English, Irish or Scottish Solicitors' Final Examinations.

The LECA however, does not empower the CLE to set admission requirements for the University.<sup>10</sup> Hence, individual universities set their own standards. There was however a necessity to harmonise the conditions of the CLE and the universities because of the situation of dual training and test of competence foisted on the authorities in relation to training of persons seeking to be legal practitioners in Nigeria.<sup>11</sup>

Cass identifies seven reasons why law faculties are accredited [6]. In addition to certifying the product (quality of training for legal education), accreditation also serves to protect both consumers of the legal education on the one hand, and consumers of legal services on the other [6]. Of note to this work however is that accreditation gives validity to the accrediting body and aids its continued relevance [6]. The accreditation exercises of law programmes conducted by both the Council of Legal Education and the National Universities Commission have contributed significantly in upholding the standard/quality of training given to students undertaking legal education in Nigeria. Thus, accreditation is not conducted in vacuum. The adequacy of the facilities within the institution, the library resources, staffing (number and qualifications) as well as suitability of buildings are a few matters considered during the exercise [7].

## 3. Collaboration Between the Council of Legal Education and the National Universities Commission

As mentioned earlier, the NUC is the second body that

3 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 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 pp. 8-9.

4 *NUC v Alli and Anor* (2013) LPELR-21444 (CA); (2014) 3 NWLR (pt. 1393) 33.

5 National Universities Commission Act Cap N81 LFN 2004, s 4 (b) (i).

6 Cap L10 LFN 2004.

7 Section 1 (2).

8 See National Universities Commission Act Cap N81 LFN 2004; Legal Education (Consolidation, etc) Cap L10 LFN 2004. See also *NUC v Alli and Anor* (supra).

9 Section 5 (1).

10 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.

11 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.

accredits law programmes/faculties. The NUC is empowered to superintend over programmes to be taught in universities and ensure that such meet national needs.<sup>12</sup> In addition, the NUC is responsible for recommending the establishment of new academic units in existing universities. It may also either grant approval for establishing such academic units or it may disapprove.<sup>13</sup> It is assumed that the establishment of universities or any programme to be taught by the university must be in furtherance of national needs and objectives. In addition to the above stated functions, the NUC is also empowered to prescribe minimum standards in universities.<sup>14</sup>

From the provisions of both the Education (National Minimum Standards and Establishments of Institutions) Act 2004 (NMSE Act 2004) and the Legal Education (Consolidation etc) Act 2004 (LECA), 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>15</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>16</sup>

In developing the curriculum in Law, the philosophy and objective is that:

A law graduate must be able to use law as 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'[8].

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

#### 4. Criteria for Accreditation<sup>17</sup>

The guidelines for accreditation of Law faculties are mandatory and students are not to be admitted or enrolled into any proposed Faculty of Law without the necessary approval of both the NUC and CLE. Considering the proliferation of law faculties and the constraints associated with human and other resources, a moratorium was placed on the establishment of Faculties of Law.<sup>18</sup> By implication, any law programme commenced in any university during the period was considered 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>19</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's 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

12 National Universities Commission Act Cap N81 LFN 2004, s 4 (b) (i).

13 Ibid, s 4 (b) (ii).

14 The Education (National Minimum Standards and Establishments of Institutions) Act Cap E 3 LFN 2004, s 10.

15 See the NUC Benchmark Minimum Academic Standards for Undergraduate Programmes in Nigerian Universities 2007, p. 2, and BMAS Law 2014, p. ii.

16 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

17 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.

18 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.

19 The University of Lagos is the only university on full accreditation as at January 2019

commence' with the intention that the university can admit students subject to other approval requirements.<sup>20</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 guidelines for the establishment of faculties of law in Nigeria developed by the CLE and the NUC are listed in Appendix 1, while a table of the Universities with various level of accreditation is contained in Appendix 2.

The accreditation is always subject to review. It is not a case of once accredited, always accredited. In other words, accreditation of law faculties is done at intervals in order to determine whether the programme can continue in the university having in mind the philosophy and objectives of the programme [6]. Areas of evaluation are in six critical areas: Academic matters, Staffing, Physical facilities, Library, Funding, and Employer's Rating of Graduates [1].

Presently, by the BMAS 2014,<sup>21</sup> a law faculty should have a minimum of two (2) departments and a maximum of six (6) as follows:

- 1) Department of Private and Property Law (PPL)
- 2) Department of Jurisprudence and International Law (JIL)
- 3) Department of Commercial and Industrial Law (CIL)
- 4) Department of Public Law (PUL)
- 5) Department of Clinical Legal Education and Training (CLE).
- 6) Department of Islamic and/or Customary Law (ICL)

## 5. Challenges to Accreditation

This paper highlights a few challenges with accreditation of Law faculties in Nigeria. The first is that the number of universities in the country makes the task of effective accreditation difficult. Presently there are about 59 universities offering Law in Nigeria and the number keeps growing. The implication is that thorough accreditation can be challenging with this size. One reason for this is that the available human resources needed for accreditation exercises is inadequate. The NUC accreditation is a form of Peer Review and accreditation panel consist of academics from Nigerian Institutions chosen for each exercise. The effect is that the NUC constitutes a panel for each exercise and rarely boasts of permanent members.

On the other hand, the present composition of the accreditation team of the CLE includes 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), an Attorney General of a State, the Law Librarian of the Law School and the Secretary

(usually a senior staff in charge of accreditation of the CLE).<sup>22</sup> Considering the busy schedule of Deans of Law and Attorneys General of the States,<sup>23</sup> it is sometimes difficult to fix a time agreeable to all parties for the accreditation. It is our opinion that this team is inadequate for the task considering the busy schedules of the CLE's accreditation team. It is important that adequate time is devoted to examining documents submitted prior to each accreditation visit to enable members engage with the materials sent to the accreditation team. It is possible that some members may not give the exercise their optimal attention due to other pressing responsibilities. Secondly, both the NUC and the CLE lack a permanent accreditation team. By this, a team is constituted on-the- need-arises- basis. Although there is a scoring criterion for assessment by accrediting teams, there is subjectivity of assessment. The level of discretion with allotment of scores will vary according to each team, with a team being more lenient than another.

Secondly, accreditation is costly for both the regulator and the University as each body must be financially committed to the accreditation exercise [6]. However, there is no independent funding for accreditation. On its part, the CLE provides funds within its limited budget and Universities are expected to provide accommodation and other conveniences for the team. The quality of provision varies from university to another. This may influence the accreditation team. It is difficult to propose means of funding accreditation visits in the light of the financial limitations of the NUC, the CLE and Universities. But it appears that the NUC and the CLE bear more financial burden considering the number of universities they must visit. The Law faculties only receive the Accreditation Panel once in a couple of years.<sup>24</sup>

A third challenge is termed the unethical behaviour by Universities. It is acknowledged that tertiary education is poorly funded in Nigeria [9]. This has resulted in a dearth of human and other necessary resources needed to enhance quality tertiary development in Nigeria [9]. Because universities lack the resources needed, it is a fact that as soon as most universities are aware that an accreditation team is visiting the school, make-shift arrangements, bothering on integrity, are made. These include 'borrowing' library holdings from practitioners in town, lecturers who may be categorized as mercenaries, have their names featuring in the academic list of more than one university [8]. Furthermore, the university present false documents to the accreditation team [9].

Universities breach the quota allotted to them by the regulatory bodies. This is another challenge. That is, once

<sup>20</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.

<sup>21</sup> Par 1.1.1. 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).

<sup>22</sup> Until recently, the team also included a Deputy Director-General and Head of a Campus of the Law School and a Director, Academics as an observer. (there are six campuses of the Nigerian Law School including one in Abuja). Heads of Campuses are appointed for a single term of five years. Then, the DG determined which Head of Campus and Director, Academics would form part of the Accreditation Panel.

<sup>23</sup> The Director General of the Nigerian Law School appoints the Dean and AG that would constitute the Accreditation Panel to any university.

<sup>24</sup> This assertion is with respect to the Faculty of Law.

universities commence the law programmes with 50 students,<sup>25</sup> they begin to put pressure on CLE for more students to be admitted. Because CLE is deliberate 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.

The fifth challenge relates to the lack of preparation by the universities prior to visit. Faculties are often required to send some documents to CLE many weeks before the visit. This may be because of inadequate funding or in some cases, indifference. The result is that 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.

The sixth challenge relates to the selection criteria of accreditation team. It is difficult to determine the mind set of members of an accreditation team. 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.

A seventh challenge may be considered as the continued justification for the CLE and NUC to accredit law faculties without any corresponding act undertaken on the CLE and NUC. Although both are statutory bodies, the authors are not aware that both institutions are accredited for quality assurance [6].<sup>26</sup>

## 6. NUC Versus CLE

As stated earlier in this paper, both the NUC and the CLE accredit law programmes in Nigerian Universities. This statutory role is mandatory for each institution, and it is necessary to determine whether both must agree regarding accrediting a law programme. The CLE's refusal to accredit the National Open University of Nigeria's (NOUN) Law faculty brings to the fore the distinction between the CLE and the NUC.<sup>27</sup> In other words, the issue of the non-accreditation of NOUN's law programme exemplifies that both CLE and the NUC need not agree with respect to accreditation [11]. This is in the light of the NOUN's law programme which has NUC's accreditation but the CLE has refused to accredit the programme on the ground that it is similar to the evening law programme which the CLE proscribed some years ago. The non-unanimity in accreditation in this regard also goes to the extent of independence of each of these bodies. CLE's non-

accreditation of NOUN's law programme has placed pressure on the body.

The effect of cases like *NUC v Alli & Anor* buttress the point that the NUC and CLE need not agree. Where the CLE refuses to accredit a law faculty, the effect is that the products of the law programme are not eligible for admission to the Law School. This does not prevent such products to pursue other careers apart of law.

## 7. Recommendations

Nigeria has a sizeable number of law faculties in the country, and it is recommended that a moratorium be placed restricting new faculties of law although establishing a law faculty is considered prestigious and considered a must for all state and private universities. However, 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 [10]. This is a collective responsibility on government, promoters of law faculties and the society. Each state of the federation or private university need not have a faculty of law. The existing faculties must be strengthened. It is important 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.

The authors suggest that both the NUC and the CLE collaborate with universities and law faculties across the nation to ensure that names of students admitted into such universities are sent to the NUC/CLE once the students are matriculated. This requirement should mandate the submission of each student's admission letter and passport photograph. The passport photograph should form a database of intending applicants to the Nigerian Law School and hopefully address the issue of impersonation at the Law School.

Similarly, CLE may consider regulating the number of applicants to its institution from foreign universities. This is necessary to curtail the influx of applicants into the Law School from Universities within the country but unwittingly having an avalanche of applicants from foreign universities. In order words, there must be a quota for applicants coming to the Law School from foreign universities.

Additionally, in other to boost transparency and accountability in the accreditation process, it is suggested that the accreditation report be published in National dailies and on the accrediting body's website at the end of each exercise. In other words, this paper proposes that the basis of accrediting a law faculty should be published beyond the accreditation status. This will guide parents and prospective students in making informed decisions about choice of university/law faculty. It may also be useful for a prospective employee to any of the institutions. Online publication of accreditation report would also address some ethical issues like lecturers who are employed in several institutions. Furthermore, and as a form of fair hearing, a review process of negative accreditation report should be possible. In the

<sup>25</sup> Based on 'Approval to Commence'

<sup>26</sup> Although the CLE reviewed its curriculum following intervention from the Nigerian Bar Association in 2007, that exercise has not been repeated to ensue its relevance.

<sup>27</sup> The NOUN was established by the National Open University Act 1983.

case of the CLE for example, a university that is unsatisfied with its accreditation result should have the opportunity of seeking a review of the assessment from the CLE since accreditation is conducted by a Committee of the Council.

The CLE should consider expanding its accreditation team by considering the possibility of a shift from the present practice of constituting accreditation panels on as-the-need-arises-basis, to a more permanent body. This may warrant having several teams as the authors argue that this will aid consistency and reduce the subjectivity that is present with the current practice. For example, the CLE may have a team made up of the same members to visit universities in the same geopolitical zone.

The authors are mindful of the importance of accreditation to staff and students of a law faculty and will not suggest assessment of the faculty by these primary users as the objectivity of such assessment is doubtful [9].

Furthermore, the authors find suggesting modalities for funding the accreditation process challenging. Nevertheless, the authors posit that this should be independent and adequate as far as practicable. For example, transportation, accommodation, and other logistics of the team should be handled independent of the university. A mechanism for independent funding should be developed. A possible way of judicious utilization of funds may be to suggest that the roles played by the accrediting bodies (the NUC and the CLE) are streamlined. We would not recommend that because the roles of each body though complimentary, are distinct as already stated in this paper.

To boost the confidence of the public in accreditation exercises in Nigeria, there is an urgent need for the NUC and the CLE to penalize erring universities that do not comply with any of the requirements. In extreme cases, the University may be precluded from operating a law faculty for as much as ten years. While this may be considered severe, the authors argue that it is needed in the light of the level of non-compliance with accreditation requirements. The authors acknowledge that much political will is needed on the part of these accrediting bodies to mete out this extreme punishment. This nevertheless will help in upholding the standards and level of compliance. Furthermore, the list of institutions that are penalized should be published on NUC's and CLE's websites. The regulatory bodies should also consider ways of rewarding compliant law faculties. It is hoped that the reward will encourage defiant institutions to be compliant.

To address the unethical behaviour of some universities as aptly stated by Akinrinade, Universities may be required to provide information on oath. A defaulting university may be prosecuted for making false statement to public officers with intent under section 125A of the Criminal Code Act.<sup>28</sup>

<sup>28</sup> Section 125A (1) of the Criminal Code Act, provides that any individual who gives any information which he knows or believes to be false, to any person employed in the public service with the intention of causing such person (a) to do or omit to do anything which such person ought not to do or ought not to omit to do if the true facts concerning the information given were known to such person; or (b) to exercise or use his lawful powers as a person employed in the public service to the injury or annoyance of any other person, is guilty of an offence and

Furthermore, it is the authors' considered view that it is necessary for the CLE to review the performance of students from an accredited university when the accreditation is due for review [12]. That is, although students write the bar final examinations and are graded accordingly, universities should also be graded at the end of each academic session. The cumulative performance of the University should affect its score when its accreditation is being considered. If this recommendation is accepted, Law faculties may be forced to revisit admission criteria into universities for those who desire to study law.

Furthermore, it may be necessary to have independent assessments that complement accreditation of universities. This suggestion is likened the Higher Education Assessment of tertiary institutions in the United Kingdom.

While this paper has discussed accreditation of law faculties in Nigeria, the authors suggest that the CLE should also be reviewed periodically in accordance with its statutory provision to ensure that does not derogate from its mandate.

## 8. 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. The NUC and the CLE are also victims of the inadequate funding and face challenges related to governance in the country that universities, especially the ones established by the federal and state experience. This results in accreditation being perfunctorily performed. The requirements for law faculties may thus be merely ideals to be attained since universities find it difficult meeting these requirements without compromising integrity. This paper also found that both NUC and the CLE complement each other but in cases where they are not *ad idem* regarding a university's law programme, the disagreeing institution is put under pressure to grant accreditation.

## Appendix

### *Appendix 1. Guidelines Developed by the CLE and the 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).

liable to imprisonment for one year.

- 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.
- 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:
  - a) Academic Staff: There shall be a minimum of six fulltime academic staff in each of the two departments.
  - b) Staff mix: The staff mix must satisfy the staff pyramidal structure as contained in the BMAS in Law.<sup>29</sup>
  - c) Non-Academic Staff: Non-academic staff of the Faculty shall satisfy the requirements as contained in the BMAS in Law.
- 6) Law Library
  - a) 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, Lexis-nexis, etc.
  - b) 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.
  - c) The Law Library must be manned by a professional librarian with a Law degree.
  - d) 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:
  - a) 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.
  - b) 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.
  - c) Auditorium: There shall be a well-equipped auditorium that can accommodate the ultimate projected students' population.
  - d) Staff Office: There should be well-equipped staff offices. Each staff must have an office exclusively to his/herself.
  - e) 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.
  - f) Student Common Room: There shall be a standard student common room with offices for students' activities.
  - g) 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.
- 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:
  - a) The commencement year.
  - b) Admission quota which shall be reviewed only at the instance of the NUC and CLE, and
  - c) 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. This depends on the Faculty's capacity. A classic example is the classroom requirement as contained in the NUC (BMAS). Faculties that will have an intake of 50 or 250 must meet the following:<sup>30</sup>

- a) one classroom that can accommodate 250 students
  - b) one classroom that can accommodate 150 students
  - c) two classrooms that can accommodate 100 students
  - d) five classrooms that can accommodate 40 – 50 students
- 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. This requirement is comparable with that of a faculty whose students' intake is 250. The requirements for such faculty are:

- a) two (2) classrooms each capable of accommodating 250 students.

<sup>29</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.

<sup>30</sup> See NUC (BMAS) 2007, p. 14, NUC BMAS Law 2014, pp. 12-13.

- b) three (3) classrooms, each capable of accommodating 150 students.
- c) three (3) classrooms, each capable of accommodating 100 students.
- d) ten (10) tutorial rooms, each capable of accommodating 40 – 50 students.
- e) 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.
- f) a students' common room measuring approximately 300sq.m, with offices for-students' union activities, including editorial office for their journals.
- g) an auditorium or lecture theatre capable of holding 1,000 to 1,500 students at a time.
- h) a computer room capable of accommodating at least 50 students as well as microcomputers, word processors and other needed equipment.

## Appendix 2. Tables of the Universities with Various Level of Accreditation<sup>31</sup>

*Table 1. 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
12	Usman Dan Fodio University	Provisional Accreditation	80
13	Ahmadu Bello University	Provisional Accreditation	280
14	University of Abuja	Provisional Accreditation	100
15	Nnamdi Azikwe University	Provisional Accreditation	180
16	University Of port Harcourt	Approval to Commence	50

*Table 2. State universities.*

S/N	Universities	Status	Approved Quota
1	Adekunle Ajasin University	Provisional Accreditation	70
2	Ebonyi State University	Provisional Accreditation	150
3	Ekiti State University	Provisional Accreditation	60
4	Abia State University	Provisional Accreditation	130
5	Delta State University	Provisional Accreditation	120
6	Enugu State University of Science and Tech	Provisional Accreditation	100
7	Kogi State University	Provisional Accreditation	60
8	Rivers State University	Provisional Accreditation	250
9	Nasarawa State University	Provisional Accreditation	70
10	Ambrose Alli University	Provisional Accreditation	120
11	Olabisi Onabanjo University	Provisional Accreditation	170
12	Osun State University	Provisional Accreditation	80
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	Provisional Accreditation	50
17	Chukwuemeka Odimegwu Ojukwu University	Provisional Accreditation	100
18	Lagos State University	Provisional Accreditation	180
19	Benue State University	Interim Accreditation	NIL
20	Niger Delta University	Provisional Accreditation	80
21	Edo University Iyamo	Approval to Commence	50
22	Gombe State University	Approval to Commence	50
23	Kwara State University Malete	Approval to Commence	50

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



Table 3. Private universities.

S/N	Universities	Status	Approved Quota
1	Igbinedion University	Provisional Accreditation	100
2	Afe Babalola University	Full Accreditation	180
3	Crescent University	Provisional Accreditation	70
4	Babcock University	Provisional Accreditation	100
5	Baze University	Accreditation Suspended	50
6	American University of Nigeria	Approval to Commence	50
7	Bowen University	Provisional Accreditation	50
8	Benson Idahosa University	Interim Accreditation	60
9	Nile University	Provisional Accreditation	75
10	Joseph Ayo Babalola University	Approval to Commence	50
11	Al-hikmah University	Provisional Accreditation	75
12	Lead City University	Approval to Commence	50
13	Ajayi Crowther University	Approval to Commence	50
14	Edwin Clark University	Approval to Commence	50
15	Madonna University	Provisional Accreditation	50
16	Elizade University	Approval to Commence	50
17	Salem University	Approval to Commence	50
18	Gregory University	Approval to Commence	50
19	Adeleke University	Approval to Commence	50
20	Godfrey Okoye University	Approval to Commence	50
21	Achievers University	Approval to Commence	50
22	Redeemer's University	Approval to Commence	50
23	Bingham University	Approval to Commence	50
24	Kola Daisi University	Approval to Commence	50
25	Novena University	Approval to Commence	50
26	Renaissance University	Approval to Commence	50
27	Veritas University	Approval to Commence	50
28	Caleb University	Approval to Commence	50
29	Philomath University	Approval to Commence	50

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