



# ISSUES IN CURRICULUM AND LANGUAGE EDUCATION

Edited by:

FOLAJOGUN V. FALAYE

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**ISSUES IN CURRICULUM AND LANGUAGE  
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**Volume I**

*Edited by*

**Folajogun V. Falaye  
Joseph A. Adegbile**

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## THE ROLE OF ICT IN THE ADVANCEMENT OF LEGAL EDUCATION IN NIGERIA

*Sunday Akinlolu Fagbemi*

### **Introduction**

The advent of technology has revolutionized the way, speed, ease and time within which we conduct our activities. There is virtually no aspect of human activity that is not affected either positively or negatively by technology. For instance, business transactions are now conducted faster, learning and teaching are richer, and generally the legal profession is better positioned. The opportunities for education arising from developments in information and communication technologies are very promising. In the past few decades, information and communication technology has provided societies with a vast array of new communication capabilities. For example, people can communicate with themselves in different countries using technologies such as instant messaging, and video-conference. Social networking websites like Facebook and Twitter allow users from all over the world to remain in contact and communicate on a regular basis. These technologies and platforms have created a “global village,” in which people can communicate with others across the world as if they were living next door.

Premised on the foregoing, it is pertinent at this juncture to clarify two key terms central to this paper: Information and Communication Technology (ICT) and Legal Education. ICT is an acronym that stands for Information and Communication Technology – or Technologies. A good way to think about ICT is to consider all the uses of digital technology that already exist to help individuals, businesses and organizations use information. ICT refers to technologies that provide access to information through telecommunications. Hence, it is an umbrella term that includes any product that will store, retrieve, manipulate, transmit or receive information electronically in a digital form such as: personal computers, digital television, hardware, software, and application and robots. On a broader level, it also includes the internet, intranet, email, wireless networks, cell phones, and other communication devices. (The Lawyers Chronicles 2015) Essentially, ICT covers the electronic and digital



products that give us access to information and is concerned with the storage, retrieval, manipulation, transmission or receipt of digital data (Jeanne Eicks.). Legal Education, on the other hand, is '...the process which equips the future lawyer, judge, administrator, counsellor and legal scientists to know how legislative, executive, judicial organs of the government are designed and how they operate' (Burra & Madasu). However, for a law education to be effective, it must focus on learning laws, learning how to apply those laws and learning how to process transactions and legal claims on behalf of clients. According to the NUC's 2007 Benchmark Minimum Academic Standards for Undergraduate Programmes in Nigerian Universities (BMAS), the law programme is designed to ensure that the graduate of Law will have good general knowledge of law, including a clear understanding of the place and importance of law in society. It is therefore necessary that the student of law should also have a broad general knowledge and exposure to other disciplines and use of technologies in the process of acquiring legal education.

The 21<sup>st</sup> century is a technological age; an age which has inadvertently turned the world to a global village. Hence, the practice of law cuts across borders and races, therefore, lawyers are not restricted to any particular jurisdiction and practice is decentralized as it were (Adegoke 2013). The emergence of ICT has made significant changes to legal education in various jurisdictions. While its impact in Nigeria may not be as elaborate as other jurisdictions, the fact is that legal education in the country has been impacted by ICT and this is bound to continue. This paper seeks to examine the important role which ICT plays in advancing legal education in Nigeria. It analyses the factors that make it imperative for the deployment of ICT in contemporary legal education. It highlights the benefits inherent in the use of ICT for teaching, learning and research. The paper also discusses the challenges to the effective utilization of ICT in contemporary legal education and how those challenges may be overcome. The paper concludes on the note that ICT and legal education are inseparable in the contemporary world, hence, teachers and students must embrace it and maximise its potentials.

### **The Role of ICT in Advancing Legal Education in Nigeria**

An effective legal education is one that is geared towards preparing graduates to practise law effectively and to play leadership roles in today's global society, not only within Nigeria, but within the global sphere. In order to be effective, legal education must be in tune with the times, and

be able to accommodate innovations and developments within the wider world. Thus, rather than focus exclusively on the appreciation of statutes and judicial pronouncements, lawyers today function in a more complex environment and operate in every sphere of human endeavours and vocations such as: court room, banking industry, in industry, government departments, politics, and in various international agencies, the influence of lawyers remains pervasive and extensive (Subai and Derri 2015). In whatever field lawyer functions in contemporary world, knowledge of ICT remains a common denominator in all the spheres as it enables lawyers to perform optimally. Speaking on the role of ICT in legal education, Mamman argued that 'the developments and advances in ICT have had important impact on legal education and teaching and how it may be harnessed by law students and teachers'. He further opined that the development and deployment of advanced computer assisted learning systems such as Law Courseware and IOLIS have changed dramatically the way students learn, created vast opportunities and ease in information storage, retrieval and dissemination and facilitated collaborative activities. Consequently, universities which do not effectively expose their students to the use of ICT, are often disadvantaged in the market place. For instance, while their counterparts from the UK, Canada, USA or Europe may be adept with the use of the ICT, some Nigerian law graduates have never made use of the power-point to make a presentation, nor have any significant exposure to the use of ICT. Hence, they are often unable to compete with their counterparts from overseas, despite the fact that they may have a better appreciation of Nigerian law. Traditionally, law teachers relied mainly on the classroom blackboards, and physical libraries, and taught law through a series of lectures and tutorials, with little or no student involvement. Emphasis was placed on class attendance, note taking, case reporting, scrutinisation of statutes, and the reading of printed articles and textbooks. However, with the emergence and the development of ICT, the traditional method alone, is no longer regarded as conveying a quality learning experience (Butler 2007). Consequently, the traditional method is gradually giving way to, or being complemented by a technology based approach to the learning of law, as the tremendous opportunities which ICT offers are being grasped day by day (Marharg 2007). Also, the industrial age has been overtaken by the information age, wherein a new model of society requires new skills and competencies (Moreno-Ger et al. 2010). The society is now confronted with new concepts such as: e-banking, e-commerce, e-library and more recently e-learning. These, therefore, render the need for the acquisition of these new

skills and competencies even more urgent, because it cannot be gainsaid that those are critical areas of human endeavor that propel the global economy in particular, and new age, in general (Amupitan, Adewale, William & Kigbu 2014). ICT now facilitates easy access to understandable information and provides for better integration in a cheaper, more accessible, and faster way (Muntjewerff 2009). It is also cost effective and provides students with authentic learning experiences in the long run, by giving them direct and easy access to portable information (Butler 2007).

### **The Importance of ICT in Contemporary Legal Education**

Computer Assisted Legal Instruction (CAI) was developed in the 1960s by various professors notable among whom is Professor Charles D. Kelso of the Indiana School of Law (Roger Park & Russell Burris 1978). It covered various legal topics and enabled the students answer one question before proceeding to the next. It was designed to be an individual tutorial to ensure active learning and encourage adequate understanding of the topic by the user. This workbook system of legal education has since been developed. Things took a more formal shape when the University of Minnesota Law School and Harvard Law School established the Center for Computer-Assisted Legal Instruction (CCALI) now known as CALI (Geist 1997). The organization now consists of most US law schools. CALI now provides different types of exercises such as memory drills, tutorials, simulations which try to recreate real life scenarios and games. All of these are used to facilitate better understanding by students and supplement the class materials and discussions. CALI is not limited to the United States as other developed countries have also employed it in their legal education. For instance, British and Irish Law schools established the British and Irish Legal Educational Technology Association (BILETA) (Thomas Allen & William Robinson 1987). CALI is found in other jurisdictions like Canada and Australia. CALI has advantages in that it makes learning more interesting and enjoyable for the students. It individualizes training hence enabling students learn at their own pace with self confidence in the fact that the answers are private and they are free from classroom pressures (Geist 1997). The success of CALI has been attributed to the active learning process requiring students to enter responses and engage in a Socratic dialogue with the computer. Students can also repeat exercises to get a mastery of it before proceeding to the next level. Electronic casebooks have also improved legal practice and education. They contain the contents of a hard copy casebook on a CD-

ROM. Until in the 1980s, hardly any Law School in Nigeria had computers or even photocopiers. The methods of knowledge and information production as well as learning processes were conventional. However, in the past years, we have witnessed a gradual revolution in the way we learn. There is a change from paper to digital and the change is becoming swift as against the slow pace of transition from manuscript to print culture during the 15<sup>th</sup> century in Europe. For instance, in 1999, the Nigerian policy on adoption of ICT was initiated, when the civilian government came to power (Heathcoth 2000). Also in 2003, University of Jos through the support of Carnegie Corporation of the US established the necessary infrastructures needed for ICT education in Nigeria. At present, virtually all Law Faculties in Nigeria have embraced e-learning in one form or the other. To aid e-learning, various ICT platforms developed and in use include the following among others:

***E-mail Communication*** – Through it, resources and questions may be posted to students and obviate the necessity for them to physically go for such resources and their responses returned in like manner. The criticism is however made that, it removes the values derived from social contact among students and staff, as well as the absence of face-to-face discussions, etc.

***Diverse Electronic Discussion Forums*** – Forums such as Facebook, Twitter and various chat rooms enable participants pose questions and articulate views on diverse academic issues. This is invariably very suitable for large class academic activities and has the potential to go beyond teachers and students.

***Legal Data Bases*** – This is in use in many law schools across the world to access legal resources, most common of which are LEXISNEXIS and WESTLAW. Data bases house a huge amount of data and knowledge which are available for research, teaching and practice after qualification as a lawyer. Since in large measure, legal research will be conducted by lawyers in practice, it is only appropriate that students gain the requisite experience and skills during their education and training in the university and vocational law school. Moreover, cybercrimes can better be understood and learnt through understanding ICT, being the mechanism through which it is committed, as well as electronically generated evidence.

**Video Conferencing** – This medium holds a lot of promises in teaching and research, especially for the injection of international and comparative flavour in the curricula as it will enable guest speakers from long distances share resources. It could create a global classroom for students from several institutions to participate in the same course, through bilateral and multilateral arrangements. This medium holds even more promise for students and academics in developing countries to share resources with their colleagues in better endowed regions without having to travel and facilitate better understanding of the various legal models and standards which exist elsewhere (The Lawyer Chronicles 2015).

Indeed, ICT has far reaching effect in the learning and practice of law. It entails useful tools, allowing the use of massive legal information retrieval systems, and of increasing benefit to lawyers in the context of the preparation of documents, administration, accounting and conveyancing and in terms of decision support (Kanyisola 2003/2004).

### **The Benefits of ICT in Legal Education**

E-learning acts as a catalyst for increased compatibility and comparability of higher education system. It helps to facilitate increased mobility for students, graduates and higher institution staff members. It also has the added prospects of making Nigerian higher education more recognized and attractive to students and scholars from outside Nigeria. Against this background, ICT presents the impulse for curriculum innovation. E-learning can provide benefit for organizations and individuals involved in its use. The benefits of ICT in legal education are legion and few of these include.

**Development of a Skilled ICT Labour Force:** Investments in ICT for legal education and practising lawyers would certainly enhance the development of a skilled, “ICT-capable” labour force that could attract direct foreign investment, as well as research and development activities. This would also engender university – private sector links that are important drivers of innovation and growth in advanced economies.

**Encourages Open Communication:** Along with having the potential to enhance teaching and learning in the classroom, ICT in legal education has the potential to encourage open communication between and among students, faculties, and others that support active learning and knowledge construction.

**Supports Academic Research:** ICT makes available information and resources supporting academic research that would not otherwise be accessible.

**Fosters Development of Academic Materials:** ICT fosters development of learning materials, presentations and lectures in an interactive manner that allows faculty to deliver them to and share them with students directly.

**Fosters Open Distance Learning (ODL):** The flexibility and accessibility enabled by ICT has fostered and encouraged Open Distance Learning (ODL), wherein the teacher is removed in space and/or time from the student and most communication is through an electronic medium (e.g., internet, radio, television or computer).

### **Challenges to Effective Utilization of ICT in Contemporary Legal Education**

Despite the huge benefits conferred by the use of ICT in legal education, there are some challenges that make the effective utilization of technology in legal education in Nigeria seem impossible. Some of the problems or constraints confronting effective utilization of ICT among others include.

**Lack of Infrastructure:** There are the universally acknowledged problems of infrastructures like electricity and telephone facilities. For instance, almost all technological devices require electricity to work effectively. However, a fundamental problem in Nigeria is inadequate or a crippled power supply. This has seriously impeded the influence ICT has in the Nigerian legal education.

**Lack of Interest and Awareness:** There is generally a lack of interest in ICT, coupled with the low level of awareness and education on the usefulness of ICT. For instance, many law teachers, students and lawyers are still in the analogue and paper world; unwilling to change or adapt to the sweeping technology culture. This could be due to sheer conservatism or a general distrust for the internet and technology (Jenkins 2008).

**Computer Literacy:** Computer literacy is still essentially at its rudimentary stage. It is also urban-oriented, very elitist and highly restricted in scope. Some of the challenges peculiar to Nigerian researchers in terms of electronic research include access to computers. Even though more

Nigerians have access to or own computers than ever before, there are still legal researchers who do not have access to them (Bello & Samuel 2010).

**Students' Lack of Basic Skills and Facilities:** Apart from those students who were fortunate to receive their primary and secondary education in private schools in the cities where basic computer skills were taught, most of the students admitted into institutions of higher learning do not possess the basic skills on how to use the computer or the internet. Worse still, they may not have access to computer or the internet facilities, bearing in mind the cost of acquiring them (Amupitan, Adewole, Logpoe & Kigbu 2010).

**Lack of Fund:** Funding is the crux of the matter. The overall educational system in the country is underfunded. Therefore, available funds are used to solve more urgent and important needs of the institutions to the detriment of ICT facilities. For instance, low level of funding has resulted into inadequate ICT facilities in schools (Yusuf, Oluwole and Loto 2013). Furthermore, the bulk of resources available to legal education and the judicial institutions are from the various tiers of government. The effect is that legal training institutions and the entire spectrum of the judiciary have to scramble for available meagre resources with other departments of the government. There have been spirited clamour for improved funding for legal education and training institutions and this would foster a sustainable ICT environment for better performance. In this regard, it is important to note that alternative sources of funding to complement subvention from governments are necessary to solve this problem (The Lawyer Chronicles 2015).

**Cost of Equipment:** The cost of equipment in a country like Nigeria with a battered economy is very high. Apart from the basic computers, other costs associated with peripherals such as printers, monitors, papers, modem, extra disk drives, and other softwares are beyond the reach of most higher institutions in Nigeria. Also most of these institutions cannot afford the exorbitant internet connection fees (Yusuf, Oluwole & Loto 2013).

### **Overcoming the Challenges**

In order to overcome the challenges of ICT in the advancement of legal education, early introduction of computer technology in the university will

help students keep pace with global development and ultimately prepare them for the challenges of the twenty-first century (Amupitan, Adewole, Longpoe & Kigbu 2010). For instance, the academic and vocational curriculum has to be redesigned to make it more relevant to the contemporary needs of the student and the society. ICT training for law undergraduates in Nigeria must cut across all levels in the Universities – that is, from 100 Level to 500 Level.

Uninterrupted power supply is indispensable in relation to ICT in legal education. Hence, government funding as well as institutional and regional organization funding of ICT in legal education is imperative. This can be done by way of research grants, direct intervention initiatives, and so on, towards the actualization of the lofty vision of ICT in legal education. In this context, governments and regional groupings can donate to law faculties, such facilities as computer laboratories and present to students laptops and other ICT devices that would aid their understanding of ICT and assist them in using ICT to ease learning processes.

Furthermore, law libraries should be better equipped with enough up to date legal materials with access to legal resources and all the information communication technology (ICT) (Bukar).

### **Conclusion**

ICT and legal education are inseparable, and Nigeria has no option but to exploit its immense benefits for national development and global competitiveness and relevance. It is therefore essential that the Nigerian law teachers and students embrace same and consider how to maximise ICT to advance both legal education and eventually practice of law. It is also imperative on the part of the government to equip and fund our Universities to take care of their technology needs such as connecting our Universities to national grid for regular supply of power as well as provision of necessary infrastructure in aid of ICT facilities. Once the issue of electricity supply is settled, our Universities and law schools should also collaborate with software developers and businesses along this line in order to create software, e-book and other technologies that will be adapted and suited to the Nigerian legal environment and meet the required needs. It is suggested that in exercising their oversight functions, the Nigerian Universities Commission, and the Council of Legal Education should make a viable ICT presence a mandatory accreditation criterion. Universities that do not have consistent subscription to one or more online databases should be sanctioned.



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