

## THE NIGERIAN LEGAL PRACTITIONER AND ECONOMIC DEVELOPMENT OF AFRICA: PROSPECTS AND CHALLENGES\*

### Abstract

*Economic integration of States in Africa, Europe and other parts of the world has been on-going for decades. State parties to economic integration treaties intend to promote economic development through economic cooperation. The desire for economic development in Africa has led to the need for political integration as well, both at the regional and continental spheres. Consequently, state parties to various economic treaties are making efforts to harmonise their laws and policies in order to incorporate inter alia the establishment of free trade zones for the smooth operation of transboundary trade and the overall interest of promoting economic development in the regions or continent. In Africa for instance, there are integration arrangements which span through the regions and the continent such as the various Regional Economic Communities and the African Union respectively. African Legal Professionals play a vital role in fostering the aim of integration arrangements within the African continent. Nigerian legal practitioners can, in collaboration with other legal professionals, contribute their quota towards economic development in Africa. This paper seeks to consider the prospects available to a Nigerian legal practitioner as well as the challenges that may be faced in order to contribute to economic development in Africa through cross-border legal practice.*

**Keywords:** Economic Development, Legal Practitioner, Prospects, Challenges, Africa

### 1. Introduction

One of the indices of good governance is improvement of the well-being of its people. Improved economic well-being and quality of lives of a people is very fundamental for development of a country, thus the need for economic development. To achieve this, economic integration is vital. Economic integration in Africa and other parts of the world has been on-going for decades. The purpose is to promote economic development through economic cooperation. The concept of development, according to classical theories, can be measured by the increase in economic indicators, improvement in infrastructure, better distribution of income as well as increase in the population's welfare indices.<sup>1</sup> The desire for economic development in Africa has led to the need for political integration both at the regional and continental levels. Consequently, state parties to various economic treaties are making efforts to harmonise their laws and policies in order to incorporate *inter alia* the establishment of free trade zones for the smooth operation of transboundary trade and the overall interest of promoting economic development in their regions and the continent. Transboundary trade is the exchange of goods and services across the borders of a country. Free trade is a commercial policy adopted by countries involved in transboundary trade to remove restrictions on imports or exports. There are certain factors that influence trade between two or more countries and these include laws, government policies, market, currency and economy. In Africa for instance, there are integration arrangements such as the various Regional Economic Communities (RECs) and the African Union (AU) which span through the regions and the continent respectively.

The AU was established in 2001. It took over from the failed Organisation of African Unity (OAU). The purpose of the defunct OAU was the cooperation of African States in order to achieve a better life for the peoples of Africa. To achieve this, States needed to co-ordinate and harmonise their policies in the area of political cooperation, economic cooperation as well as educational cooperation.<sup>2</sup> Involvement of cross-border legal practice by legal professionals in Africa, collaboration among legal professionals of different States or countries in the African continent to ensure the promotion of the rule of law and good governance can enhance integration processes. The question to be considered is what contributions a Nigerian legal practitioner can make in furtherance of the aim of economic integration and development in Africa. A survey of the challenges that can be faced will also be considered. Practising beyond the borders of a legal professional's home jurisdiction has some ethical implications particularly where the host jurisdiction has a different legal system from that of the home jurisdiction. Ethical issues in cross-border legal practice will be addressed before the conclusion of this paper.

### 2. Economic Integration Road Map in Africa

The need for economic development gave rise to economic integration of countries within regions as well as the African continent. In order to enhance economic integration in Africa, sub-regional arrangements were made among countries within the same geographical region or having the same colonial history. These include *inter*

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\*By I. L. I. IKIMI, LLB, BL, LLM, ACrb, Lecturer, Nigerian Law School. E-mail: inisspecial@yahoo.com. Phone Number: 08037800187

<sup>1</sup>Matos, G. B. da C., Nantes, R. A., & Santos, N. dos. (2019). Regional Development in the Amazonian Border Area from the Installation of Areas of Free Trade. *International Journal of Advanced Engineering Research and Science*, 6(3), 253. <https://dx.doi.org/10.22161/ijaers.6.3.3.4>

<sup>2</sup> Art 2(1) and (2) OAU Charter 1963. <https://au.int/treaties/oau-charter-addis-ababa-25-may-1963>

alia the Economic Community of West African States (ECOWAS), East African Community (EAC), Economic Community of Central African States (ECCAS), South African Development Community (SADC), and Common Market of Eastern and Southern Africa (COMESA). These are referred to as Regional Economic Communities (RECs). The African-wide integration arrangement was known as OAU. In 1980, OAU adopted the Lagos Plan of Action due to the challenges it faced in realising its objectives. This plan resulted in the African Economic Community (AEC) Treaty which came into force in May 1994. It provided for the AEC to be set up through a gradual process, which would be achieved by harmonisation and integration of the activities of existing and future RECs in Africa. Thus, the RECs are the building blocks of AEC.<sup>3</sup> Currently African-wide integration arrangement is the African Union (AU). It was established in conformity with the overall objectives of the OAU Charter and the AEC Treaty.<sup>4</sup> From the period when the AEC came into force to the time when the AU was established, the OAU operated on the basis of the OAU Charter and the AEC Treaty. The AEC is an organic structure for economic integration in Africa. The principles of AEC include amongst others, inter-state cooperation, harmonisation of policies and integration of programmes, promotion of harmonious development of economic activities among member states, and observance of the legal system of the Community.<sup>5</sup> Some of the objectives of AEC include the promotion of economic, social and cultural development and the integration of African economies in order to increase economic self-reliance; to promote cooperation in all fields of human endeavours so as to raise the standard of living of African peoples; maintain and enhance economic stability; foster close and peaceful relations among Member States and contribute to the progress, development and economic integration of the continent.<sup>6</sup> To achieve its objectives, the RECs have to be strengthened, other RECs established, there has to be trade liberalisation through abolition of customs duties levied on imports and exports, abolition of non-tariff barriers for the establishing of a free trade area at the level of each regional economic community, establishment and maintenance of a common external tariff as well as a common market.<sup>7</sup>

In order for trade to prosper, there is the need for countries to have laws that support contemporary contract practices and ensure the rule of law and contract discipline in commercial transactions. The usefulness of standard clauses and contract terms in the creation of a common language of international trade is paramount, and the International Chamber of Commerce as well as other institutions have made substantial contribution in this respect. In Africa, the Organisation for the Harmonisation of Corporate Law in Africa (OHADA) which is a system of corporate law and implementing institutions is an outstanding contribution.<sup>8</sup> The different countries in each region which make up the African continent have diverse legal, social, and economic systems. There is the need for harmonisation or a convergence of these systems so as to foster international peace and stability as well as the promotion of rule of law. Peace and stability are required for the promotion of trade and economic integration. Legal harmonisation is also necessary. The features of legal harmonisation in International law are common legislative development, consistent implementation of legal texts, and uniform interpretation across jurisdictions. These three features or composition of legal harmonisation are subject to the influence of different state and non-state actors contributing their quota towards legal development.<sup>9</sup>

### 3. Legal Professionals' Participation in Integration Process

The services sector plays an integral role in the functioning of any modern economy. The role of legal professionals, also referred to as legal practitioners or lawyers, in fostering economic integration in Africa is indispensable. Lawyers all over the world are specialised professionals who in the representation of their clients and rendering of legal services place the interest of their clients above their own interest and strive not to fail in their duty of respect for the courts and the rule of law.<sup>10</sup> Legal services of lawyers may be retained by an individual, a corporation or a State. Lawyers can help to negotiate economic transactions, draft agreements, and render unbiased legal advice in order to prevent conflicts. In the event of any conflict, lawyers can resolve conflicts with

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<sup>3</sup>Salami, I., (2011). Legal and institutional challenges of economic integration in Africa. *European Law Journal*, 17(5), 668.B lackwell Publishing Ltd.

<sup>4</sup>Salami, I., Op.cit. 669.

<sup>5</sup>Art. 3 AEC Treaty. <https://au.int/en/treaties/treaty-establishing-the-african-economic-community>

<sup>6</sup>Art. 4(1) AEC Treaty. <https://au.int/en/treaties/treaty-establishing-the-african-economic-community>

<sup>7</sup>Art. 4(2) AEC Treaty. <https://au.int/en/treaties/treaty-establishing-the-african-economic-community>

<sup>8</sup>Demeter, D. M. & Nasirova, Z. (2018). International legal harmonisation in theory and practice. *Legal and administrative studies: PROCEEDINGS of conference legal, political and administrative' consequence of Romania's accession to the European Union*. Spiru Haret University. pp. 68, 73.

<sup>9</sup>Demeter, D. M. & Nasirova, Z. (2018). International legal harmonisation in theory and practice. *Legal and administrative studies: PROCEEDINGS of conference legal, political and administrative' consequence of Romania's accession to the European Union*. Spiru Haret University. pp. 66.

<sup>10</sup>IBA International Principles on Conduct for the Legal Profession, (2019). Council of International Bar Association. p. 4. <https://www.ibanet.org/Document/Default.aspx?DocumentUid=1730FC33-6D70-4469-9B9D-8A12C319468C>

the aid of alternative dispute resolution mechanisms, promote the rule of law, promote the cause of justice, defend rights of clients and further the development of the law.<sup>11</sup>

### **Integration of Legal Services through Cross-Border Practice**

Cross-border legal practice also known as multi-jurisdictional legal practice refers to the rendering of legal services by legal professionals beyond the boundaries of the legal professional's home country. This type of legal practice would require knowledge of the legal systems, laws and policies of different countries. For there to be a hitch-free cross-border legal practice in Africa, there is the need to put in place legal and regulatory framework in every State or country to foster the possibility of rendering legal services across borders of States within the continent. This is going to take a gradual process. First, States within the different RECs in Africa would have to fully open up their legal services sector to each other. Thus, an entire region becomes a market for legal services. Harmonisation of legal practice in Africa can help to improve the quality of legal services rendered and eventually improve the standard of the legal profession.

The legal profession is classified in theory and practice as a noble profession. Acceptable and unified ethical standard of practice for legal professionals practising across borders will be germane for sustaining the traditional values of the profession. Where legal professionals teeter on the edge of legal ethics or there is a breach of acceptable ethical standards, what approach will be best utilised for adjudication and enforcement of the consequences of such breach? Which body or authority will be saddled with such responsible? What will be the composition of such body and how will the persons be drawn from across the continent? These are questions that come to bear on the issue of breach of acceptable ethical standards. Cross-border cooperation between lawyers from different jurisdictions requires respect for the differences that may exist between the lawyers' respective legal systems as well as the relevant rules for the regulation of the legal profession. A lawyer who undertakes professional work in a jurisdiction where the lawyer is not a full member of the local profession should adhere to applicable laws and the standards of professional ethics in the jurisdiction of which the lawyer is a full member. The lawyer should also practice only to the extent that is permitted in the host jurisdiction, provided that all applicable laws and ethical standards of the host jurisdiction are complied with. Prior to establishing an acceptable and unified ethical standard of practice, legal professionals involved in cross-border practice should take into consideration and observe the applicable rules of professional conduct in both the home and host jurisdictions. This is Double Deontology.<sup>12</sup>

### **Legal Practitioner in Nigeria**

By definition, a legal practitioner is a person entitled to practise as a barrister or as a barrister and solicitor, either generally or for the purpose of any particular office or proceedings.<sup>13</sup> From the definition as provided in the Legal Practitioners Act, three categories of persons are entitled to practise law in Nigeria. The three categories are those that can practise generally, those that can practise for the purpose of the office they occupy, and those that can practise by virtue of any particular proceeding or by warrant. Generally, a person is entitled to practice as a barrister and solicitor in Nigeria if only his name is on the Roll of legal practitioners kept by the Chief Registrar of the Supreme.<sup>14</sup> Such person shall be entitled to have his name enrolled if he has been called to the Nigerian Bar by the Body of Benchers.<sup>15</sup> These criteria apply to the first and second categories. It is doubtful whether currently there is any person under the second category who has not been called to the Nigerian Bar and whose name is not on the Roll of legal practitioners kept by the Chief Registrar of the Supreme Court. Persons under the third category are persons who have been granted warrant by the Chief Justice of Nigeria to do the particular proceeding specified in the warrant.<sup>16</sup>

### **Prospects of a Nigerian Legal Practitioner**

In the course of regional integration, there would be mobility of goods, services, persons, capital, as well as developing of a means of sharing information which could result in legal issues between states or private and commercial parties.<sup>17</sup> There are bound to be trade disputes wherever economic activities take place. A peaceful

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<sup>11</sup>IBA International Principles on Conduct for the Legal Profession, (2019). Council of International Bar Association. p. 4. <https://www.ibanet.org/Document/Default.aspx?DocumentUid=1730FC33-6D70-4469-9B9D-8A12C319468C>

<sup>12</sup>IBA International Principles on Conduct for the Legal Profession, (2019). Council of International Bar Association. p. 4. <https://www.ibanet.org/Document/Default.aspx?DocumentUid=1730FC33-6D70-4469-9B9D-8A12C319468C>

<sup>13</sup>Section 24 Legal Practitioners Act (Cap. L.11) LFN 2004.

<sup>14</sup>Section 2(1) Legal Practitioners Act (Cap. L.11) LFN 2004.

<sup>15</sup>Section 7(1) Legal Practitioners Act (Cap. L.11) LFN 2004.

<sup>16</sup> Section 2(2) Legal Practitioners Act (Cap. L.11) LFN 2004.

<sup>17</sup>Demeter, D. M. & Nasirova, Z. (2018). International legal harmonisation in theory and practice. *Legal and administrative studies: PROCEEDINGS of conference legal, political and administrative' consequence of Romania's accession to the European Union*. Spriu Haret University. p. 66.

environment and peaceful settlement of disputes in the event of any dispute are necessary for economic development. Nigerian legal practitioners can collaborate with lawyers in other jurisdictions in Africa. As agents of disputes resolution, they can help prevent and resolve conflicts. In collaboration with other lawyers, Nigerian legal practitioners can render *pro bono* legal services to indigent persons, render legal opinions to regional courts, develop themselves professionally and broaden their horizon, defend the common interests of lawyers particularly human rights activists, participate in the activities of regional and continental professional associations, acquire specialised skills and promote good governance in the continent by advocating the observance of the rule of law. These are some of the areas where legal practitioners in Nigeria can contribute their quota for the advancement of the continent. Nigeria has a large number of legal practitioners capable of flooding the legal services market to cater for legal issues arising from economic cooperation and development through transboundary free trade in Africa.

### **Challenges that may be faced by Nigerian Legal Practitioners**

There is the need for synergy among legal professionals in Africa. However, there are bound to be challenges which may be faced by legal professionals. Nigerian legal practitioners share in these challenges. Although the challenges are not peculiar to Nigerian legal practitioners, there are some which are specifically faced by Nigerian legal practitioners due to the laws governing legal practice in the country. Both the general and specific challenges would be considered. To ensure effective collaboration with other legal professionals for the development of the legal profession in Africa and to render legal services to the various sectors of the economies of Africa, infrastructure such as air and road transport, adequate supply of power or electricity, availability of ICT facilities are required. Immigration barriers and hostility against Nigerians in general by some African countries have to be tackled. Some of the challenges include the following:

**Language Barrier:** Language barrier can affect communication between Nigerian legal practitioners and other nationals in the African continent. This can hinder the efficacy of legal services to be rendered, or the collaboration with other legal professionals in Africa.

**Legal Partnership Restriction:** The synergy among legal professionals in Africa will require a form of partnership among them in the course of multi-jurisdictional legal practice. In Nigeria, there are restrictions on legal partnership. The restrictions are provided in the Rules of Professional Conduct for Legal Practitioners. One of the restrictions in relation to this discourse provides that a lawyer shall not form partnership with another lawyer who is not admitted to practice law in Nigeria, if any of the activities of the partnership consists of the practice of law.<sup>18</sup> Stringent rule restricting partnership with a lawyer who is not admitted to practice law in Nigeria should be relaxed in order for there to be an efficacious synergy between Nigerian legal practitioners and legal professionals in the countries of Africa. Laws and regulations in other African countries that restrict cross-border legal partnership should also be amended thus creating similar laws that fit well with each other.

**Publicity of Legal Practice and the Rule against Improper Advertisement:** Globalisation has immense impact on the legal profession. Through the use of technology, legal professionals can interact with each other and practice beyond the borders of their home jurisdiction. There is the need for a level of publicity of legal practice on the internet in order for legal practitioners to be visible internationally or known across Africa. This is pertinent for cross-border practice and rendering of legal services to different sectors for economic development. It is doubtful whether a practising lawyer in Nigeria can attain such level of publicity of his legal practice without breaching the rule against improper or unfair advertisement. The general rule is that advertisement is permissible in the legal profession in Nigeria but such advertisement must be fair and proper, and must comply with the Rules of Professional Conduct for Legal Practitioners (RPC).<sup>19</sup> A lawyer shall not be engaged or involved in any advertising or promotion of his practice of law which includes any statement about the quality of the lawyer's work, the size or success of his practice or his success rate.<sup>20</sup> Having a synergy with legal practitioners from other African countries will require advertisement beyond the stipulated permissible modes stated in the RPC. The trend of legal practice is gradually shifting from the known traditional practice of physical contact with clients to technology-based practice. Modern form of legal practice is convergence of the law with technology. The rule restricting advertisement of legal practitioners in the current Rules of Professional Conduct for Legal Practitioners (RPC) should be relaxed a bit to accommodate global trend.

**Complexity of Conflict of Laws:** Conflict of laws principles is a set of rules for determining the law to be applied in order to resolve disputes in a case over which two or more contradictory laws seem to have jurisdiction in a

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<sup>18</sup> Rule 5(1) Rules of Professional Conduct for Legal Practitioners 2007.

<sup>19</sup> Rule 39(1) Rules of Professional Conduct for Legal Practitioners 2007.

<sup>20</sup> Rule 39(2)(d) Rules of Professional Conduct for Legal Practitioners 2007.

multi-jurisdictional transaction between individuals, corporations or states. Conflict of laws is also known as private international law. Conflict of laws address the principal questions of jurisdiction to adjudicate a legal problem where it borders on more than one country, the appropriate law to be applied to the legal issues before the court, and enforcement of the judgment of the court. Cases of conflict of laws arise from differences between legal systems. There are notable differences between countries with a common law tradition and those employing civil law.<sup>21</sup> According to Ungerman, one solution to the issue of conflict of laws is where parties to a contract specify or expressly indicate the actual law that governs their transaction provided that the contract is bona fide, legal and not contrary to public policy. Where contracting parties include a governing law provision in their agreement which include the phrase ‘without regard to conflict of laws principles,’ this would prevent the imposition of laws of another jurisdiction contrary to the intention of the parties.<sup>22</sup> In the case of cross-border or multi-jurisdictional legal practice, a universally accepted framework for determining proper conduct in the event of conflicting rules is yet to be developed but some jurisdictions have adopted conflict of laws principles to determine which rules of professional conduct apply.<sup>23</sup> Enforcement of legal ethical standards and discipline for breach of acceptable standards are other ethical challenges. Legal professionals can specify the actual rules of professional conduct to abide by while accepting in writing to act on behalf of clients. This would resolve the issue of enforcement of ethical standards and discipline for any breach since the specified rule of professional conduct would provide for these. Alternatively, the principle of double deontology should apply. This requires legal professionals practising in multi-jurisdictions to observe the applicable rules of professional conduct in both the home and host jurisdictions. However, the most appropriate solution would be to establish an acceptable and unified ethical standard of practice.

**Differences between Legal Systems:** There are basically four legal systems in the world viz Common Law, Civil Law, Statutory Law, and Religious Law. The two main categories are Common Law and Civil Law. These are the most widespread legal systems in the world. Some countries have adopted certain features from one legal system or the other into their own. Thus, such countries have a combination of legal systems. Countries that use the Common Law system are typically those that were former British colonies or protectorates, including the United States. One feature of a common law system is that few provisions are implied by law into a contractual relationship. Thus, there is extensive freedom of contract, meaning, everything is permitted that is not expressly prohibited by law. It is therefore important to set out all the terms governing the relationship between parties to a contract in the contract itself. The civil law system is a codified system of law which originated from Roman law. Countries that follow the civil law system are typically those that were former French, Dutch, German, Spanish or Portuguese colonies or protectorates, including much of Central and South America. Most of the Central and Eastern Europe and East Asian countries also follow a civil law structure. One feature of a civil law system is that there is less freedom of contract. Many provisions are implied into a contract by law and parties cannot contract out of certain provisions.<sup>24</sup> In Africa, there are basically three types of legal system that are applicable. There are countries with common law legal system, civil law legal system and a mixed legal system. The mixed system largely consists of a combination of common law and civil law.<sup>25</sup> While countries such as Nigeria, Ghana, Tanzania, Sierra Leone, Malawi and Uganda use common law system, countries such as Ethiopia, Angola, Democratic Republic of Congo, and Central African Republic use a civil law system. The mixed system is used in countries such as Cameroon, South Africa, Mauritius and Lesotho.<sup>26</sup> Among African countries applying civil law system, there are different models such as the French, Roman-Dutch, Portuguese, German and Belgian civil law. Even among countries having a common law system, there are diversities. Generally, the common law system applied in African countries is based on English law with the exception of Liberia which has a common law system based on Anglo-American law or United States law.<sup>27</sup> The issue of diversities of legal systems and understanding the different models of the legal system in each of those countries is one challenge a Nigerian legal

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<sup>21</sup> Hay, P., Drobnig, U. M., & Rheinstein, M. Conflict of laws. <https://www.britannica.com/topic/conflict-of-laws>

<sup>22</sup>Ungerman T. Governing law clauses: WITHOUT regard to conflict of law.

<https://www.deallawwire.com/2017/05/16/governing-law-clauses-without-regard-to-conflict-of-law/>

<sup>23</sup>IBA International Principles on Conduct for the Legal Profession, (2019). Council of International Bar Association. p. 14. <https://www.ibanet.org/Document/Default.aspx?DocumentUid=1730FC33-6D70-4469-9B9D-8A12C319468C>

<sup>24</sup>World Bank Group. Key features of common law or civil law, Public-Private-Partnership Legal Resource Center. [https://ppp.worldbank.org/public-private-partnership/legislation-regulation/framework-assessment/legal\\_systems/common-vs-civil-law](https://ppp.worldbank.org/public-private-partnership/legislation-regulation/framework-assessment/legal_systems/common-vs-civil-law)

<sup>25</sup>Smith, H. African civil law systems and the Oil and Gas Industry.

<https://www.internationallawoffice.com/Newsletters/Energy-Natural-Resources/Africa/Herbert-Smith/African-Civil-Law-Systems-and-the-Oil-Gas-Industry#>

<sup>26</sup>Central Intelligence Agency. The World factbook. <https://www.cia.gov/library/publications/the-world-factbook/fields/308.html>

<sup>27</sup>Smith, H. African civil law systems and the Oil and Gas Industry.

<https://www.internationallawoffice.com/Newsletters/Energy-Natural-Resources/Africa/Herbert-Smith/African-Civil-Law-Systems-and-the-Oil-Gas-Industry#>

practitioner involved in cross-border practice would face. One solution to this challenge is harmonisation of the various legal systems in Africa as well as the policies and laws which will eventually lead to harmonisation of legal practice.

**Artificial intelligence:** Artificial intelligence is a branch of computer science. This is the ability of a computer-controlled robot endowed with human characteristic intellect to exhibit traits associated with a human mind or perform tasks that are usually performed by intelligent beings.<sup>28</sup> Such traits include learning, the ability to rationalise or reason, and solving problems. Through Artificial intelligence, online robot lawyers or Artificial Intelligent lawyers have permeated the legal environment of recent. Artificial Intelligence is an emerging competitor to traditional legal practice which appears to be the norm in Nigeria. Technology-based legal practice is still developing in Nigeria.

**Skills Acquisition and Specialisation in Legal Practice:** A few legal practitioners in Nigeria have made a mark in their respective areas of specialty in the legal field. There are several more legal practitioners who are yet to delve into a particular area of law and specialise in that area. Many legal practitioners are experts in civil and criminal litigation. Rendering legal service across borders of Africa will require more than the skills involved in litigation. Alternative Dispute Resolution skills will be required, and in the wake of physical distancing policies around the world, resolving disputes through the use of digital technology is not only germane but paramount. Thus, legal practitioners can acquire skills required to be engaged in Online Dispute Resolution (ODR) and other specialised Information Communication and Technology (ICT) skills.

**Restriction in Opening up of Legal Services Market:** Nigeria permits cross border legal practice by virtue of the Legal Practitioners Act. The enactment permits legal practitioners practising in other jurisdictions to practise in Nigerian courts for a particular proceeding. But there must be authorisation. A warrant must first be issued by the Chief Justice of Nigeria following an application by such legal practitioner; also regarded for the purpose of the application as an applicant. The warrant specifies the particular proceeding applied for, and the applicant is not entitled to do any matter not specified in the warrant. The applicant must be a person that can practice as an advocate in his country, and the country must have the same legal system with that of Nigeria.<sup>29</sup> While the law in Nigeria, to some extent, opens up her legal services market to foreign legal professionals to practice for a particular proceeding,<sup>30</sup> some other countries in Africa are strict on allowing foreign legal practitioners to explore their legal market. Liberalisation of the legal services market in Africa poses a threat to legal professionals in different African countries particularly for countries with less number of legal professionals. The large deposit of human resources (legal professionals) that Nigeria has can pose a threat to other countries. It would appear that legal practitioners in Nigeria may tend to flood the legal services market in the African continent. This can constitute a challenge to Nigerian legal practitioners.

**Immigration Requirements:** Some African countries have stringent entry requirements for citizens of other African countries. Africa Visa Openness Index measures which countries are facilitating travel for the citizens of other countries and how. Key facts about visa openness in Africa in 2019 reveal that Africans have liberal access to 51% of other African countries; Africans do not need a visa to travel to 25% of other African countries; Africans can get a visa on arrival in 26% of other African countries; Africans need visas to travel to 49% of other African countries; and 21 African countries out of the 54 offer eVisas. The Visa Openness Ranking shows that countries such as Benin and Seychelles require no visa for entry, countries such as Somalia, Comoros and Madagascar issue visa on arrival, while Equatorial Guinea require visa for entry into the country.<sup>31</sup> For there to be effective synergy among legal professionals in the continent, immigration barriers should be addressed, and the hostility against Nigerians in general would have to be tackled.

#### 4. Conclusion

There are several economic integration arrangements on the African continent and virtually all African countries belong to more than one economic integration group. The African Union (AU) is geared towards the consolidation of economic integration arrangements in Africa within a single structure.<sup>32</sup> Other than the African-wide integration arrangement; AU, there are different regional integration arrangements in the various regions of Africa. The ultimate purpose of these integration arrangements is the development of Africa as well as effective participation of African countries in the globalisation process. In furtherance of economic integration for economic development of the continent, there has to be harmonisation of laws, policies and legal systems. This can help to

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<sup>28</sup>Copeland, B. J. Artificial intelligence. <https://www.britannica.com/technology/artificial-intelligence>

<sup>29</sup>Section 2(2) Legal Practitioners Act (Cap. L.11) Laws of the Federation 2004.

<sup>30</sup>Awolowo v. Usman Sarki, Minister Internal Affairs 1966 NSCC 209.

<sup>31</sup>African Development Bank. Key facts about visa openness in Africa in 2019. <https://www.visaopenness.org/>

<sup>32</sup>Salami, I. op cit, p. 667.

create uniformity in the application of laws for the realisation of practical solutions to the challenges militating against Africa's development. Legal professionals are key actors in the development agenda of Africa. Thus, there is a need for synergy and the formation of strong legal partnerships amongst legal professionals in Africa. Liberalisation of the legal services market is also necessary for the development of the legal profession in Africa in order to render effective services to the different sectors of the African economy. Legal practice across the globe is taking a new dimension and lawyers in Africa must not be left out. With the aid of technology, legal professionals in different parts of the world can interact with each other and engage in cross-border practice. The traditional legal practice currently has a serious competitor; technology-based practice. Legal professionals must develop the ability to adapt quickly to emerging or innovative technologies. Lack of modern ICT facilities in some African countries poses a huge challenge. In a bid to contribute their quota to the development of Africa through collaboration with other legal professionals, Nigerian legal practitioners would also face challenges which have been highlighted in this paper.