

**LEGAL EDUCATION BEYOND COURTROOM ADVOCACY: A  
TRANSFORMATION FOR GENDER JUSTICE, RELIGIOUS  
DIVERSITY AND SOCIAL INCLUSION**

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**Abstract**

*The 21<sup>st</sup> century legal landscape witnesses the increasing demand for lawyers in non-adversarial settings which further underscores the need for an inclusive legal education rather than a narrow, litigation-centred model. This article examines the development of the law school instructional framework to query the traditional and often misconceived notion that Nigerian legal education is designed only for courtroom advocacy. The paper adopts a doctrinal research approach, drawing from content analysis of primary and secondary sources to establish how instructional framework, law school culture, institutional restrictions and professional practice impact on gender, diversity and social inclusion. The aim of this paper is to call for a repositioning of legal education beyond courtroom advocacy with consideration for gender equity, religious diversity and social inclusion, while the objectives are (1) to examine the concept of gender equity, religious diversity and inclusion as essential paradigm for a transformative legal education curriculum, and (2) to examine the roles of the law faculties towards a pedagogy for the promotion of diversity, inclusion and addressing systemic inequalities. The paper found that the evolving social, cultural and*

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*professional realities, calls for a responsive legal education that takes care of these realities.*

## **1.0 INTRODUCTION**

Critical pedagogy arose from the background of the belief that education is never a neutral endeavour; rather, it is shaped by power relations, cultural norms and social structure of any given society.<sup>2</sup> The influence of the British colonial legacy on shaping the focus of legal education and practice in Nigeria is visibly evident in every aspect of our legal culture. In a typical law class in Nigeria, law is taught as a set of rules, statutes and legal doctrines to be memorised and applied, and this leaves law graduates bereft of skills for critical thinking and socio-legal analysis. This system, which is structured towards preparing students for courtroom practice, gives limited space for the integration of law with social, economic and cultural realities. The role of law as a tool of social transformation challenges a litigation-centred instructional framework for legal training in Nigeria. Responsive legal education with a focus on the role of law as a tool for social transformation underscores the relevance of law in a dynamic, growing political entity where issues of gender, religion and social inclusion go hand in hand in the interpretation and acceptance of progressive legal norms.

Diversity and inclusion create an academic climate where learners and teachers can challenge conventional norms, expose cognitive biases and develop innovative ideas and this is necessary for law students and therefore for lawyers to develop skills to communicate, negotiate,

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<sup>2</sup>Paulo Freire, *Pedagogy of the Oppressed* (30<sup>th</sup> Anniversary edn, Bloomsbury Inc Sydney 2000)

collaborate and advocate across cultural differences.<sup>3</sup> A responsive legal education with critical discourses on access to justice, diversity, gender and social inclusion will better place the law graduate in a position that relates to the global contemporary realities and situate legal training within a broader context of social justice and human development. By exploring the intersection of law, education, diversity and inclusion, this paper reiterates that in the 21<sup>st</sup>-century legal workspace, professional competence is closely linked with diversity and cultural competence.<sup>4</sup> The heterogeneous legal, social, moral, political and economic problems that lawyers are called upon to solve in an increasingly globalised and pluralistic society calls for a legal education involving classrooms, co-curricular and extracurricular settings in which the very hardest questions can be asked, the most imaginative answers explored, and different perspectives heard.<sup>5</sup> While identifying the problem raised for resolution in this paper as revolving around the limited integration of social justice concerns in Nigerian legal education, the paper seeks to contribute to the ongoing discourse on reforming legal education to better equip future lawyers with knowledge, skills and the values necessary to promote a more just and inclusive society.<sup>6</sup>

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<sup>3</sup> Stanford Law School, 'Diversity and Inclusion in Legal Education' <<https://law.stanford.edu>> accessed 15 Oct 2025.

<sup>4</sup>Elmarie Fourie, 'Constitutional Values, Therapeutic Jurisprudence and Legal Education In South Africa: Shaping Our Legal Order' Per/Pelj(2016)19 <<https://www.saflii.org/za/journals/PER/2016/2.html>> accessed on 4 Oct, 2025.

<sup>5</sup> Stanford Law School, 'Diversity and Inclusion in Legal Education' <<https://law.stanford.edu>> accessed 15 Oct 2025.

<sup>6</sup>Patricia Kamerie-Mbote and Seth Wekesa, 'Reconfiguring Legal Education to Deepen Gender Equality: Mainstreaming Gender Through Curriculum Review at the School of Law, University of Nairobi' East African Law Journal Special issue on Gender, Equality and Non Discrimination (2018) <<https://www.ielrc.org/content/a1801.pdf>> accessed on 13 October 2025.

This paper is structured into five sections: The first section dealt with the conceptual clarification of terms and theoretical frameworks wherein the key concepts of this paper and the theories underpinning the focus of this paper were discussed; following that is the discussion on the historical evolution of Nigeria legal education and curriculum development; in the third section, the paper outlined the main points of established legal education models while in the fourth section the intersection of legal education, diversity and inclusion was addressed. This paper recommends religious literacy and tolerance initiatives, stronger frameworks for social inclusion, curriculum reforms and gender sensitive policies to transform education into a tool for liberation rather than domination, inclusion rather than exclusion and for balanced gender dynamics. While restating the need for the restructuring of legal education for diversity, inclusion and social justice, this paper concludes with a call to integrate interdisciplinary approaches and transformative methodologies to legal education in Nigeria.

## **2.0 CONCEPTUAL CLARIFICATION AND THEORETICAL FRAMEWORKS**

### **2.1 Definition of Key Concepts**

This section focuses on the the definition of key words which are important components of the discourse in this paper. The concepts of courtroom advocacy, gender justice, cultural diversity and social inclusion are explained as they are used in the context of this paper.

#### **a. Courtroom Advocacy**

Courtroom advocacy can be briefly described as the set of skills which is obtainable through a sound knowledge of the law, especially procedure and

evidence, which enhances the ability of lawyers to represent and defend the interests of clients in court.<sup>7</sup> It includes oral and written advocacy aimed at sharpening the ability of lawyers to persuade and convince the judge or jury to favour their cases, through the presentation of facts and legal arguments and the examination of witnesses. It involves the oral presentation of cases in court through convincing submissions on law and facts in the opening and closing statements, and effective handling of objections and issues of procedure.<sup>8</sup> Courtroom advocacy also involves the examination of witnesses through examination in chief, cross-examination and re-examination for the purpose of obtaining direct testimony from one's own witnesses, to challenge the testimony of opposing witnesses and to make clear information from witnesses.<sup>9</sup> Through written advocacy, lawyers are able to present their cases to the court by the submission of pleadings, motions and affidavits as well as written submissions. Courtroom advocacy is taught in law faculties through moot and mock trials wherein students are trained to analyse and apply legal principles for clients' representation before a court or tribunal and to secure a favourable judgement.<sup>10</sup> Rather than courtroom advocacy, this paper argues for a more balanced focus on a broader legal advocacy where law students acquire talents to make use of legal knowledge and proficiency outside of the courtroom to influence law, policy and society.<sup>11</sup>

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<sup>7</sup> Glanville Williams, *Learning the Law* (12th edn, Sweet & Maxwell, London 2002)

<sup>8</sup> Akin Olawale Oluwadayisi, *A Synopsis on Corporate Law Practice, Property Law Practice and Law in Practice* (2<sup>nd</sup> edn, Princeton Publishers 2016)

<sup>9</sup> Lawrence Atsegbua, *Law of Evidence* (Justice Jeco Pub 2012)

<sup>10</sup> Yemi Osinbajo, *Cases and Materials on Nigerian Law of Evidence* (Macmillan Publishers 1992)

<sup>11</sup> Karina Murray, 'A Book-End approach to Ethics: The Increasing Importance of Incorporating Ethics into the First Year Curriculum in Leon Wolff and Maria Nicolae(eds), *The First Year Law Experience: A new Beginning* (Halstead Press 2014) 71 cited in Maria

Law graduates continue to hold positions related to other disciplines, such as accountants, politicians, policy makers, advisers to government departments and foreign diplomatic services. Therefore, for the law faculties, focus should not only be on courtroom advocacy but also on matters that help to equip them with several transferable skills that remain relevant and applicable irrespective of their chosen career or profession.<sup>12</sup>

### **b. Gender Justice**

‘Law is an important and constitutive element of social life, and gender is an important and constitutive element of human beings. Together, the two are important in such research and more pressing in educational practices of law and gender.’<sup>13</sup> The Nigerian legal landscape in theory as well as practice mirrors the historical context of patriarchy where men predominantly wield power and dominates decision making.<sup>14</sup> In this paper, the term gender justice is used in the context of equity in gender treatment which promotes equality of access. It is defined as a concept that emphasises fairness and justice in the treatment of both men and women in access to resources and opportunities, while recognising that men and women are different and unique in their characteristics, and therefore face different barriers and have different expectations. Some legal writers view

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Nicolae, ‘Legal Education, Legal Practice and Ethics’ *Legal Education Review* 2015 25(1)11 <<https://epublications.bond.edu.au/ler/vol25/iss1/11>> accessed on 20 Oct. 2025.

<sup>12</sup> Maria Nicolae, ‘Legal Education, Legal Practice and Ethics’ (2015) 25 (1) *LER* 1 <<https://epublications.bond.edu.au/ler/vol25/iss1/11>> accessed on 20 Oct. 2025.

<sup>13</sup> Mary Catherine Lucey, ‘Feminist Legal Education and Teaching Competition Law,’ (2025) 16 (2) *JECLAP* 144–148, <<https://doi.org/10.1093/jeclap/lpaf029>> accessed 28 October 2025.

<sup>14</sup> Chioma B Nwakwo, ‘An Appraisal of Gender Justice and Legal Reform in Nigeria: Assessing the Efficacy of Legislative Frameworks and Societal Impact’ (2025) *JOCARL* <<https://journals.unizik.edu.ng/jocarl/article/view/5421>> accessed on 21 November 2025.

gender in terms of the relationship between men and women, which throughout history has been one not simply of inequality but of power, 'with men in the dominant position and women subordinate'.<sup>15</sup>

Gender justice underscore the recognition that social, cultural and economic realities affects men and women differently and that gender relations evolved from a social and cultural context and construct.<sup>16</sup> Gender inequality in Nigerian legal education and professional practice is not accidental; it is both structural and systemic, and tackling it therefore requires simultaneous reform of both structures and systems, from curriculum and policy to culture and pedagogy.<sup>17</sup> This paper, therefore, aims to trigger a mindset for the reconsideration and deconstruction of legal knowledge to articulate a gender competent understanding of the law and reconstruct it accordingly.<sup>18</sup>

### **c. Legal Education**

Education itself is a specialised field of study which deals with the methods of teaching and learning. The Encyclopedia Britannica defines legal education as the preparation for the practice of law, stating that the theoretical and practical aims of legal education may not be pursued

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<sup>15</sup>ibid.

<sup>16</sup>Joanne C Jaramilo, 'The Fine Line between Gender Equity and Gender Equality' (2014) 4(7) RJSS&M <[www.theinternationaljournal.org](http://www.theinternationaljournal.org)> accessed on 13 Oct. 2025; International Labour Office, 'ABC of Women Workers Rights and gender equality' (Geneva: International Labour Organisation (ILO) 2000). <<https://library.au.int/abc-women-workers-rights-and-gender-equality-8>> accessed on 20 October 2025.

<sup>17</sup>Gender competent Legal Education' <<https://library.oapen.org/handle/20.500.12657/60847>> accessed 20 October 2025.

<sup>18</sup>Dragica Vujadinović, Mareike Fröhlich, and Thomas Giegerich, 'Gender competent Legal Education'(2023) (Springer open access, 2023). <<https://doi.org/10.1007/978-3-031-14360>> accessed on 20 October 2025.

simultaneously, but the emphasis placed on various objectives varies from period to period, place to place and even teacher to teacher.<sup>19</sup> A general understanding of legal education proffers it as the teaching and learning about law as a system of rules, which may include basic civic awareness by citizens about rights and duties, and specialised training for the legal profession. In the context of this paper, legal education encompasses the theoretical understanding of legal concepts and their social, economic, and political contexts, as well as the practical skills needed for legal practice.

Legal education in Nigeria continues to evolve as universities' competitiveness for student enrollment influences the attitude of education providers in Nigeria, especially the profit-driven private sector. Within this education system are assessment criteria used to evaluate students' performance in order to determine their eligibility to proceed to the next level of their training.<sup>20</sup> The major regulatory bodies responsible for legal education in Nigeria are the National Universities Commission (NUC) and the Council of Legal Education (CLE), both of which are statutory bodies established by law to oversee both the academic and vocational training of aspiring lawyers.<sup>21</sup> At the conclusion of the vocational training at the Nigerian law school, successful aspirants who are found to be 'fit and

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<sup>19</sup> Mary Ann Glendon and William P Alford, 'Legal Education' (Encyclopedia Britannica) <<https://www.britannica.com/topic/legal-education>> accessed 21 October 2025.

<sup>20</sup> Assessment In Legal Education In Alison Bone And Paul Maharge (Eds) '*Critical Perspectives on The Scholarship of Assessment And Learning In Law - Volume 1: England* (ANUP. 2016).

<sup>21</sup> See generally NUC Act Cap N81 LFN 2004; Legal Education (Consolidation, etc) Act Cap L10 LFN 2004 on establishment and powers of the NUC and the CLE.

proper' would be called to the Nigerian Bar and enrolled as Barristers and Solicitors of the Supreme Court of Nigeria.<sup>22</sup>

The general aim of legal education is the knowledge of the law, which in itself is said to serve as 'a tool of social engineering'.<sup>23</sup> It is designed to provide individuals with the knowledge and skills required for legal practice, a practice that must take place not in a vacuum but within a social, economic, and political context.<sup>24</sup> In Nigeria, legal education was originally designed to mimic that of England, except that in England, lawyers are trained as solicitors or barristers, but lawyers in Nigeria are trained and qualified to practice as both solicitors and barristers.<sup>25</sup> It involves a first stage of academic training within the university system wherein students are taken through four or five years (depending on mode of entry) of learning the principles of procedural and substantive law and one year vocational training in the Nigerian law school, where students are expected to learn practical, procedural skills and ethical principles of the profession. This training is expected to produce lawyers with a level of education that properly equips them to serve at every level of society.

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<sup>22</sup>Momodu Kassim- Momodu, *'Body of Benchers, the Legal Profession, and Modern Ethical Theories'* (Ritesteps Publishers 2025).

<sup>23</sup>JA Ohiare, 'Problems And Prospect of Legal Education In Nigeria: An Assessment of The Council of Legal Education Act In Nigeria' (2020)5(1) IJSRHLIR <<https://internationalpolicybrief.org/wp-content/uploads/2023/10/Article19-14.Pd>> Accessed On 21 September 2025.

<sup>24</sup>T. O. Elias, *'Makers of Nigerian Law'* (London, Sweet and Maxwell 1965) p.30

<sup>25</sup>A A Oba, 'Towards Regaining Learning and Correcting Leanings in the Legal Profession in Nigeria' (2007) 1(1) *Rev of Nig Law & Practice* 16-27.

#### **d. Religious Diversity**

There is perhaps no more important access point into the key issues of modern political and legal theory than the questions raised by the interaction of law and religion in contemporary constitutional democracies.<sup>26</sup> Religious diversity involves the recognition that within a society, people hold different beliefs and adhere to different faiths and that the differences must be managed in a way that promotes peaceful existence, mutual respect and just treatment. Legal pluralism grows out of the acceptance of diverse legal systems within a society, and this, in practice, bears significant relevance to the impact of religious diversity. Legal scholars like Ehrlich acknowledge the coexistence of state laws and customary practices within societies, thereby 'illustrating that individuals often adhere to informal norms and regulations alongside formal legal rules'.<sup>27</sup> The recognition of legal pluralism bears historical evidence in colonial India and Nigeria, where formal legal rules were applied alongside customary norms and religious laws were applied in matters of marriage, divorce, inheritance, custody, caste and family relations.<sup>28</sup> Scholars of contemporary legal theories, such as Griffiths, further acknowledged and expounded legal pluralism, emphasising that it is not a feature of law itself

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<sup>26</sup>Kyriaki Topidi, 'Law and Religious Diversity in Education: The Right to Difference' in Sylvio Ferrari et al (eds) *ICLARS Series on Law and Religion* (Routledge Taylor and Francis Group 2021.); Benjamin L Berger, 'Key Theoretical Issues in the Interaction of Law and Religion: A Guide for the Perplexed', (2011)19(2) *Con Forum Constitutionnel* 41-52.

<sup>27</sup>Brian Z Tamanaha, 'A vision of Socio-legal Change: Rescuing Ehrlich from 'Living Law'' (2011) 36(1) *Law & Soc Inq.* 297-318 <*JSTOR*, <http://www.jstor.org/stable/23011878>.> Accessed on 28 October 2025; David Nelken "Eugen Ehrlich, 'Living Law, and Plural Legalities' (2008)9(2) *Theoretical Inquiries in Law* 443-471. <<https://doi.org/10.2202/1565-3404.1193>> accessed on 28 October 2025.

<sup>28</sup>Kajal Nagar and Monika Rastogi, 'The Impact of Religious Diversity on Legal System: Comparative Analysis of Constitutional Framework' (2024)6(3) *IJFMR*

but rather of the social field within which law operates.<sup>29</sup> Social and cultural competence, an essential skill set for the 21<sup>st</sup>-century legal practice, is a mark of a lawyer who has mastered the navigation of heterogeneous legal landscapes. As a crucial component of social justice, it promotes understanding and inclusion of diverse faiths and beliefs, which in turn encourages dialogue and empathy among people of diverse faiths. The understanding that Law is neither apolitical nor is it neutral or value-free and that law is often part of the conflict that opposes religious communities, actors within these same communities, or entire ideologies and approaches to diversity management informed the need to include religious diversity and management in legal education and training.

#### **e. Social Inclusion**

In the structural development of any society, education plays a significant role in shaping the minds of the social contractors and legal engineers. Social inclusion is another component of social justice structure which encourages inclusion across class and culture. A legal structure where no one is left behind, where everyone has the opportunity to contribute and be involved, irrespective of social background, vulnerabilities and identity. This is a major driving force for social justice paradigm involving access to justice, community engagement and diverse political representation. In the context of this paper, social inclusion is expressed as a system where the underserved in the society are considered as essential to shaping legal norms and expectations within the legal system. Therefore, for a legal education that projects social inclusion, exposure of law students to

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<sup>29</sup>Koukounaras-liagkis M, 'Religion and Religious Diversity within Education in a Social Pedagogical Context in Times of Crisis' (2015) IJSP; A Griffiths, 'Pursuing Legal Pluralism: The Power of Paradigms in a Global World', (2011)43(64) JOLP&UL 173-202 <. <https://doi.org/10.1080/07329113.2011.10756674>> accessed 28 Oct 2025.

community service and legal aid structures will serve as essential to the training of justice conscious legal practitioners that are of relevance as agents of social engineering.

### **3.0 THEORETICAL FRAMEWORK**

This section of the paper discusses theories and philosophical principles which underpin the core questions raised in this paper. Questions such as in what ways can legal education in Nigeria be reformed to promote gender equity and address intersectional forms of discrimination? What are the roles of legal educators in promoting cultural competence and social justice in the classroom? This paper will examine the three theories of critical pedagogy, transformative legal education and the theory of intersectional Feminism to highlight their relevance to the understanding of the aim and objectives of the paper.

#### ***3.1 Critical Pedagogy***

This is a framework for the transformative power of teaching and learning, which exemplifies education as a tool for justice and social transformation. Paulo Freire portrays the four walls of an academic institution as the ground where socio-political restructuring of a society is conceived and therefore advocates for the positive use of education as a tool for building critical minds.<sup>30</sup> He made a critical analysis of a concept of education structure where the teacher-learner relationship is like that of a depositor and a receptacle, where the teacher deposits as a know-it-all and the students receive as an empty vessel to be filled. He projected a model of education, where there is literally no communication and no opportunity for critical

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<sup>30</sup> Freire, (n2) 58-79

problem solving- learning is abstract and unrealistic.<sup>31</sup> He compared this system of education with the banking process, where the teacher is the depositor and the learners are the receptacle, likening the education system to possessing a fundamental narrative culture. He outlined the danger of this education system as lacking in critical content, detached from reality and disconnected from the existential experience of the students.<sup>32</sup>

In the context of this paper, critical pedagogy espouses an education system that is connected with social reality for positive transformation, accepting the potentiality of the relevance of a lawyer in sectors of society other than the courtroom. In this context, legal education is not just a tool of advocacy but a tool of social engineering, and while advocacy is to win the listener to one's side, the educator learn 'through dialogue with learners their objective situation and their awareness of that situation', thereby awakening a critical conscience and consciousness.<sup>33</sup> This paper aligns itself with the essential and core principles of this theory, restating that legal education should move from rote learning and memorisation of legal principles, laws and procedure to challenging and questioning how law can strengthen and sustain a progressive society.

Critical pedagogy espouses a methodology which aims to empower individuals and communities to challenge and transform oppressive systems. It encourages critical thinking by questioning dominant narratives and power structures. Hooks posits that critical pedagogy is about

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<sup>31</sup>Muhammad Sharif Uddin, 'Critical Pedagogy and its Implication in the Classroom' (2019)3, (2) JUMP <<http://ojed.org/jump>> accessed 28 October 2025.

<sup>32</sup>Henry Giroux, 'Critical Pedagogy in 109-119 the Age of Authoritarianism: Challenges and Possibilities' (Springer Fachmedien Wiesbaden, 2021) <[https://doi.org/10.1007/978-3-658-31395-1\\_19-1](https://doi.org/10.1007/978-3-658-31395-1_19-1)> accessed on 28 October 2025.

<sup>33</sup>Giroux (n32) 85

transforming the minds of students to question their own realities rather than being complacent in stagnation.<sup>34</sup> This paper argues for a legal education that encourages the production of reflective and perceptive lawyers who are not just receptacles of established norms but also critical of underlying power dynamics in the legal profession, which undermine social inclusion. Collaborative learning, which is promoted by critical pedagogy, allows for a system which fosters dialogue among students from diverse backgrounds and social experiences, and this, in turn, amplifies the voices of marginalised groups, thereby encouraging the promotion of social justice. The principles of fairness, equality and recognition of human rights are principles emphasised as social justice, which application in education is exemplified by critical pedagogy- inclusive curricula, critical thinking and community-based learning.

### ***3.2 Transformative Legal Education***

This theory espouses a legal education that goes beyond the training of lawyers for case advocacy to lawyers who actually transform society.<sup>35</sup> It states that the law is influenced by societal changes, consequently making new and different demands on the legal practitioner and teachers of law. Such new demands will, in turn, result in the need for a curriculum based in law faculties to incorporate elements that enable the training of lawyers who are equipped to meet those demands. For the transformative legal theorist, the learning of law is a process of not only intellectual and personal development but also a process of social progress. This theory advocates the core principles of critical reflection, experiential learning, social justice

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<sup>34</sup> Bell Hooks, *Teaching to Transgress: Education as the Practice of Freedom* (Routledge 1994)

<sup>35</sup> G. Quinot, 'Transformative Legal Education' (2012)129(3) SALJ411-433.

orientation, value-based education, inclusion and diversity.<sup>36</sup> The principle of critical reflection projects a structure where students are encouraged to query legal doctrines, power structures and inequalities, while the experiential learning projects the learning of law through real-life contexts achievable with the inclusion of law clinics, moot and mock trials, simulations and community engagements.<sup>37</sup> This theory further emphasised value-based education, which integrates ethics, human rights and social responsibility into legal training, which is also achievable through law clinics and community service. The central goal of transformative pedagogy is to make the classroom a democratic setting where everyone feels a responsibility to contribute. The principles of inclusion, diversity, and social justice orientation capture the essence of the discussion in this paper in their recognition of the importance of gender justice, cultural pluralism, social inclusion and religious diversity in legal education. It encourages law schools' engagement in addressing social issues such as poverty, discrimination and inequality by emphasising that law schools are not just platforms for producing robotic courtroom technicians but empathetic lawyers who are able to relate to clients' experiences.<sup>38</sup> The goals of the transformative legal education theory align with the argument of this paper, which is to the effect that legal education should be aimed at preparing lawyers for diverse roles-advocacy, policy reform, community service and a transformative legal practice with empathetic lawyer- client relationships.

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<sup>36</sup>Ropafadzo Maphosa and Nomathole Nhlapo, 'Transformative Legal Education In The South African Context' (2020)14(1) Pretoria Student Law Review 12-30 <<https://Upjournals.Up.Ac.Za>> accessed on 24 September 2025.

<sup>37</sup>William Twinning, 'Developments in Legal Education: Beyond the Primary School Model' <<https://ler.scholasticahq.com>> accessed on 23 September 2025.

<sup>38</sup> Groux (n 32)

### ***3.3 Intersectional Feminist Theory.***

The intersectional feminist theory looks at the interaction between and the interconnection of different categories of difference which trigger a context for systemic discrimination. The categories of difference such as gender and race; gender and social class; gender and religion and other categories of difference in individual lives, social practices, institutional arrangements and cultural ideologies and the outcomes of these interactions in terms of power is the central focus of intersectional feminism'.<sup>39</sup> As a feminist theory, it developed out of black feminism as a component which focused on gender and race, defining the concept of intersectionality as a different way in which the factor of race, along with gender, affects the ways black women experience employment and social life. Kimberlé Crenshaw in 1989 described intersectionality as: "A prism for seeing the way in which various forms of inequality often operate together and exacerbate each other."<sup>40</sup> The notion of this theory was, however, already present in earlier feminist analysis of gender at the intersection with other structures of domination, such as race, establishing that the early use of 'intersectionality in feminist practice was based on at least two axes of domination'- gender and race or gender and class.<sup>41</sup>

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<sup>39</sup> Zara Saeidzadeh, 'Gender Research and Feminist Methodologies' in Dragica Vujadinović, Mareike Fröhlich, and Thomas Giegerich,(eds) '*Gender competent Legal Education*' (Springer open access, 2023). <<https://doi.org/10.1007/978-3-031-14360>> accessed on 20 October 2025.

<sup>40</sup>Grace Ajele and Jena McGill, 'Intersectionality In Law And Legal Contexts' (Women's Legal Education And Action Fund, 2020) <<https://www.leaf.ca/wp-content/uploads/2020/10/Full-Report-Intersectionality-in-Law-and-Legal-Contexts.pdf>> accessed on 28 October 2025.

<sup>41</sup>See generally Serena Mayeri, 'The Intersectional Origins of Modern Feminist Legal Advocacy' (2023)34(2)Yale Journal of Law &Fem 7-13.

For this paper, the outcome in terms of power dynamics and systemic gender discrimination in legal education and the legal profession becomes more profound where there is an intersection of gender and religion and/or gender and class. Gender discrimination or gender equity as a subject to examine in legal education and profession is incomplete if one does not examine the different dimensions of its impact, where the two or more axes of domination appear in systemic gender discrimination. This paper identified intersectionality in legal education in Nigeria, where the intersection of gender and religion, gender and class, results in the systematic exclusion of a sizable group not only in education but also in practice.

#### **4.0 EVOLUTION OF LEGAL EDUCATION AND PEDAGOGY IN NIGERIA**

##### ***4.1 Curriculum Development***

Legal education in Nigeria, as we know it today, evolved from the recommendations of the Unsworth Committee set up by the then Federal government to prepare a roadmap for the establishment of an indigenous based system of legal education in Nigeria.<sup>42</sup> The recommendation of the Committee includes the establishment of the Council of Legal Education and the setting up of law faculties in Nigerian universities running curricula to be approved by the Council.<sup>43</sup> Consequent on the recommendation, the

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<sup>42</sup>The Committee was headed by Mr EIG Unsworth, who was then the Attorney General of the Federation. See Leesi E Mitee, 'Introduction to Nigerian Legal Education' (Nigeria Legal Research and Practice Repository, 2008) available at <<https://nigerianlawyersdirectory.com/research/introduction-to-nigerian-legal-education/>>

<sup>43</sup> Ernest Ojukwu, 'Legal Education in Nigeria: A Chronicle of Reforms and Transformation under Tahir Mamman' (Council of Legal Education, Abuja 2013). The first Law faculty in Nigeria was established in 1961 at the University of Nigeria, Nsukka. Thus, by the end of 1963, four universities in all (UNN, Lagos, Ife and ABU) were running

Legal Practitioners' Act and the Legal Education Act were enacted in 1962.<sup>44</sup> The Legal Education Act provided for the establishment of a Council of Legal Education (CLE), with the mandate to establish and maintain standards for legal education in Nigeria through the accreditation and approval of law programmes in Nigerian Universities. The accreditation by the Council provides for the eligibility for the one-year vocational training at the Nigerian Law School, which was also established by the Council.<sup>45</sup>

The Nigerian Universities Commission (NUC), another statutory body with the power to regulate university programmes in Nigeria, work hand in hand with the CLE for the accreditation of law programmes in Nigerian universities.<sup>46</sup> While the NUC assess the academic content to ensure that it meets the standard required, the CLE looks at the professional requirements.<sup>47</sup> In designing the original minimum academic standard curriculum for the law programme, the NUC set down for itself some fundamental principles and general philosophy, to the effect that any student who had gone through the course of the curriculum will have a clear

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Law programmes leading to the award of a Bachelor of Laws. See further E A Nwogugu, 'A Quarter Century of Legal Education in Nigeria: An Appraisal. Occasional Paper No. 10' (NIALS Lagos, 1985) p.2.

<sup>44</sup>Now known as the Legal Education (Consolidation, etc) Act Cap L10 LFN, 2004. see Momodu Kassim- Momodu, '*Body of Benchers, the Legal Profession, and Modern Ethical Theories*' (Ritesteps Publishers Lagos, 2025).

<sup>45</sup> S. 1(1) The original Act has undergone some modifications through repeal.

<sup>46</sup>Nasiru Tijani and Gbemi Odusote, 'Accreditation of Law Programmes in Nigeria: A Case for Review.'(2022) 5 (4) IJLS 350-358.<<https://www.sciencepublishinggroup.com/ijls>> accessed 25 September 2025.

<sup>47</sup>NUC Act Cap N81 LFN 2004; Legal Education (Consolidation, etc) Cap L10 LFN 2004. On powers for accreditation of University programme, see generally, Education (National Minimum Standards and Establishments of Institutions) Act 2004 (NMSE Act 2004) and the Legal Education (Consolidation etc) Act 2004 (LECA)

understanding of the place and importance of law in society because all human activities take place within a legal framework.<sup>48</sup> The statutory responsibilities of the NUC are to advise the government on higher education in Nigeria, and this includes setting standards and accrediting degree and other academic programmes in Nigerian universities.<sup>49</sup> In pursuance of its mandate under law, it revised the Minimum Academic Standard (MAS) of 2001 and updated it to the Benchmark for Minimum Academic Standard (BMAS).<sup>50</sup> The BMAS was further revised in 2014 to transform it from a content-based curriculum to outcome-based benchmark statements for all programmes in line with contemporary global practices.<sup>51</sup> The prescribed duration of law programmes is five or four years, with 2 semesters in a year.<sup>52</sup> Several legal writers, examining the suitability of the NUC BMAS, think that the content of the curriculum falls short of not only the original objectives but also of taking into consideration the ever-changing social landscape within which the law is practised.<sup>53</sup>

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<sup>48</sup>Aim and objectives as outlined on page 3 of the MAS. See generally NULAI, 'Clinical Legal Education Curriculum for Nigerian Universities' Law Faculties/Clinic' (Open Society Justice Initiative, Abuja, 2006)

<sup>49</sup>NUC Act, s 4 cap N81 2004 LFN.

<sup>50</sup>NUC Act, s4cap N81 LFN 2004 and s 18, Education (Minimum Academic Standards and Establishment of Institutions) Act, cap E3 LFN 2004.

<sup>51</sup>Tijani & Odusote (n 46)

<sup>52</sup>Admission of candidates through the Joint Admissions and Matriculation Board (JAMB)/ Unified Tertiary Matriculation Examinations (UTME) for a period of 5 years, where a person holding a degree in another discipline or a diploma in law is admitted through direct entry for 4 years.

<sup>53</sup>See generally Afe Babalola, 'Repositioning Legal Education for National Development' <<https://www.abuad.edu.ng/repositioning-legal-education-for-national-development-2/>>; Idem Udosen Jacob and Halimat Adeniran, 'Challenges of Legal Education in Nigeria and the Effects on National Development', 2019) 6(10)IJMRD; Bagoni A Bukar, 'Legal Education and Challenges of Contemporary Developments in Nigeria', (2022)(20)IJCLE <<https://northumbriajournals.co.uk>> accessed 20 October 2025.

The Core Curriculum Minimum Academic Standard (CCMAS) succeeded the BMAS, and it was mainly developed, arguably, to correct the shortcomings of the BMAS and not to actually change the contents of the curriculum. In order to achieve this, wider opportunity was given to law faculties to develop innovative courses, and the curriculum was expanded to include more compulsory courses aimed mainly to teach practical legal skills and expose students more to the application of law and legal principles. Clinical Legal Education was included in the CCMAS as one of the Compulsory courses as an avenue to introduce students to practical skills and community service. While curriculum review and expansion are critical to the development of legal education to sustain its relevance in a constantly evolving world, this paper further found that the science and art of teaching and delivery of the curriculum content is the sine qua non to the achievement of the objectives of the learning process. An effective classroom instructor must understand not only the content of the curriculum, but also the approaches and techniques to convey knowledge and skills, understand the cognitive, social and emotional aspects of learning and be able to measure students' learning and understanding. For education, the curriculum spells out the methodologies and processes through which learning occurs; it contains not only facts and figures but also the culture and values of the education system and the society.<sup>54</sup> The values and norms of the society determine the social context within which the processes of learning and teaching take place.<sup>55</sup>

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<sup>54</sup>Patricia Kamerie-Mbote and Seth Wekesa, 'Reconfiguring Legal Education to Deepen Gender Equality: Mainstreaming Gender Through Curriculum Review at the School of Law, University of Nairobi' *EALJ Special issue on Gender, Equality and Non Discrimination* (2018) <<https://www.ielrc.org/content/a1801.pdf>> accessed on 13 October 2025.

<sup>55</sup>Barbara Pozzo, 'Innovative Teaching Methods to Mainstream Gender Equality in Legal Education' (2023) 4(1) *EJLE* 191–21.

## ***4.2 Model of Legal Education***

### **(a) Traditional Model of Legal Education**

What I will term the traditional legal education model is courtroom advocacy-focused and teacher-centred, with the primary aim of preparing students for litigation and courtroom practice. This education model emerges from the colonial bequest of the British system of legal education, which influenced the structuring of legal education in Nigeria, and cannot be overemphasised.<sup>56</sup> The methods and approaches used to teach law in Nigerian Universities developed from the traditional lecture dictating and case analysis approach to a more problem-based and experiential learning approach. As technology further advances, teachers of law are developing more innovative ways of curriculum delivery through the integration of technology-enhanced simulations and AI tools with a focus on developing skills for critical thinking, legal research, and effective communication skills.

### **(a) Clinical Legal Education model**

This is a model of legal education developed with the aim of bridging the gap between theory and practice. It encourages experiential learning where students are allowed to work with live clients and scenarios that allow them to apply legal principles learnt in theory-based classrooms. Clinical legal education also allows students of law to understand the impact of law in society through community engagement and legal aid services for the underserved members of society. If we were to look for a model of teaching law that accommodates social justice concerns more than others, it is clinical legal education. It encourages students' involvement in access to

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<sup>56</sup> Jaramilo (n 16)

justice advocacy and bridging the gap for legal aid to the underserved and vulnerable members of the society. Clinical legal education is gradually becoming popular in the Nigerian legal education based on the advocacy and sensitisation of the Network for University Legal Aid Institutions, a not for profit organisation working in collaboration with others to promote the establishment of legal aid clinics in law faculties across Nigeria.

**(b) Interdisciplinary method of legal Education**

This encourages the adoption of components from other disciplines in the teaching of law in order to encourage a broader perspective in the application of law in society. The understanding that the application of law takes place within a context that may be political, economic and social encourages the understanding of these contexts for an effective delivery of legal services. An interdisciplinary approach to teaching law, where components from other disciplines are integrated into the study of law, serves to enhance a legal education standard for the training of lawyers to provide them with skills which fit the needs of society. Here, students of law learn the law and the context within which the law operates. The understanding of the law and its political, economic and social context will guide the effective application of the law and provide an effective guide for policy reform. The interdisciplinary approach can also accommodate comparative study of law across jurisdictions.

**5.0 REPOSITIONING FOR TRANSFORMATION: LEGAL EDUCATION, GENDERED NARRATIVES, DIVERSITY AND INCLUSION**

For education, the curriculum spells out the methodologies and processes through which learning occurs; it contains not only facts and figures but

also the culture and values of the education system and the society.<sup>57</sup> The values and norms of the society determine the social context within which the processes of learning and teaching take place.<sup>58</sup> This paper identified gender imbalances and biases as problematic social norms in the Nigerian society and therefore calls for an inclusive curriculum and pedagogical approach that challenges problematic social norms and responds to the needs of those who might be excluded. The international legal system of this century boasts of so many laws promoting gender equality, so much so that the average lawyer in this century believes gender inequality is far from their mind. This system makes it difficult to provide an education that positions students to have an awareness of the gendered nature of law.

Although the legal education curriculum may seem gender neutral in appearance, it is largely male-centred in substance, which produces gender insensitive teaching that fails to prepare lawyers to handle gender-based cases effectively. Attitudinal and policy change starts with awareness and understanding of the nuances of gendered narratives in law, achievable through a legal education system which challenges biases, stereotypes and prejudices that fuel gender inequality. The right to access justice on a basis of equality is often restricted and undermined by procedural requirements and practices, and a consistent failure to systematically ensure that judicial mechanisms are physically, economically, socially and culturally accessible. The far-reaching consequences on enjoyment of women's human right as provided under law due to gender stereotyping and bias in the justice system was clearly enudated by the CEDAW Committee particularly in respect to access to justice, stating that stereotyping and bias

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<sup>57</sup>Kamerie-Mbote and Wekesa,(n54)

<sup>58</sup>Barbara Pozzo, 'Innovative Teaching Methods to Mainstream Gender Equality in Legal Education' (2023)4(1) EJLE 191–21.

‘impede women’s access to justice in all areas of law, and may have a particularly negative impact on women victims and survivors of violence’.<sup>59</sup>

Stereotyping, for example, sometimes leads to miscarriage of justice, thereby compromising the impartiality and integrity of the justice system. It further distorts perceptions such that decisions are made based on preconceived beliefs and myths rather than relevant facts. thereby affecting credibility given to female witnesses and undermining the claims of the victims.<sup>60</sup> This paper argues for an all-inclusive gender mainstreaming where not only women understand gender sensitivity but men too; with a critical challenge to the popular concept of masculinity and femininity, gender sensitivity and equity can be achieved to a great extent in legal education.<sup>61</sup>

Legal education in Nigeria, due to the influence of the common law and British colonisation, provides very limited exposure of law students to other non-common law-based legal traditions which are deeply rooted in Nigerian social practice, such as Sharia and Customary Law, thereby creating a chasm resulting in prejudice, misunderstanding and ineffective advocacy in cases involving religious diversity.<sup>62</sup> After more than six decades of independence,

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<sup>59</sup>CEDAW/C/GC/33, pp. 12–13. cited in *ABC of Women Workers' Rights and Gender Equality* (2nd ed, International Labour Office, Geneva, 2007)

<sup>60</sup> Inheritance laws of some customs in Nigeria, s, of Marriage Act, s.26 of 1999 Constitution, s.55 of labour Act. Gendered language in legislative drafting. Some laws perpetrate Violence against women eg marital rape.

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<sup>62</sup>A A Oba, ‘Do lawyers have a Right of Audience in Sharia Court of Appeal?’ *Karimatu Yakubu and Anor v Alhaji Yakubu Paiko and Anor revisited* (2001)4(2) *LASU Law Journal* 183-197.

the common law of England still forms the Nucleus of legal education in Nigeria, such that 'Nigerian lawyers are known to be versed in English law, English Court systems and legal values more than what is in their own indigenous systems'.<sup>63</sup> Western Constitutionalism, established a clear separation of religion and state, yet religion remains a prominent force in the legal landscape, and education is an area of human pursuit that expands the scope for the expression of religious identity. The impact of religious diversity on legal systems is multifaceted; therefore, legal education is a focal starting point where a considerable number of normative conflicts involving religious identity in today's multicultural societies can be addressed.<sup>64</sup>

It seems that the designers of legal education in Nigeria envisage a unitary system of education that is patterned after the common law without regard to the need of the dynamic global heterogeneous society where adjudication would be required on non-common law-based legal issues, such as customary law and the shariah and other areas where cultural competence is required of a lawyer. This has led to misleading judgments and interpretations of principles of law by personnel with little or no knowledge, and this has resulted in severe damage to the social structure of Nigeria.<sup>65</sup> This paper argues that the narrow colonial foundation of the Nigerian legal education itself is one of the major obstacles to tolerance and inclusion within the legal profession and the Nigerian society in general, as colonial structures are primarily built not to unify but to divide.

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<sup>63</sup>M Tabiu, 'The Right of Audience of Legal Practitioners in Sharia Court in Nigeria' (1985-87) *JL&CL* 15-17.

<sup>64</sup>Kyriaki Topidi, 'Law and Religious Diversity in Education The Right to Difference' in Sylvio Ferrari et al (eds) *ICLARS Series on Law and Religion* (London, Routledge Taylor and Francis Group., 2021).

<sup>65</sup> *Ibid.*

## **6.0 CHALLENGES AND RECOMMENDATIONS**

It is not in doubt that the general understanding of law is to enhance justice and protect human rights. It is also not in doubt that for the lawyer, law is a business and a tool of trade. Globalisation connects worlds, cultures and systems in a way that cannot be ignored, and to act in a context, one must understand the context. Religious diversity and nuances of gendered narratives influence legal norms so profoundly and systemically that a culture and gender competent lawyer has a better standing in the 21<sup>st</sup>-century legal practice. This paper recommends

(a) The integration of social justice concerns in the delivery of the curriculum through the exposure of students to a structured professional mentoring programme where they can learn beyond the classroom. Professional mentoring, curriculum reforms and policy intervention to connect legal education in Nigeria with cultural and social realities.

(b) The introduction of extracurricular and co-curricular activities through the establishment of associations and clubs within the university system, where students will have the opportunity of learning platforms for expansive teaching in the form of symposia and public lectures with content that is socio -legal and expansive, will go a long way to trigger transformative learning.

(c) A sustainable clinical legal education system where students are exposed to experiential and practical learning should be an obligatory feature of any college of law. Through community service, students are able to interact with others from different social backgrounds and orientations. Simulated classrooms also allow expansive comparative legal scenarios outside of the students' domain of study.

(d) Curriculum Reform and policy Intervention: Regular curriculum reform and policy intervention will allow the legal education curriculum to develop essentially by taking account of social, economic and political context of law. The introduction of law and religion, law and society initiatives in law faculties is a welcome development as it fosters the understanding of religious diversity and social inclusion.

The development of legal education is besieged with so many challenges that have been mentioned and discussed by several writers in the field. For this paper, the challenges discussed are the challenges of integrating social justice concerns into the students' training and pedagogy.

**(a) Funding** remains a major challenge to the development of legal education in Nigeria. The slow-paced development of legal education and the inability to bring it to the global standard are largely due to a paucity of funds and low budget allocation to education generally. Overcrowded classrooms with little to no facilities to teach account for the falling standard of legal education in Nigeria. Clinical education, as it is in use today, allows for the integration of social justice concerns into legal education, but not all faculties of law in Nigeria can key into this model.

**(b) A dearth of qualified personnel in academic institutions of learning** contributes to the inability to sustain an effective curriculum delivery and to meet the minimum standard in terms of student-lecturer ratio in the delivery of legal education. This is closely linked to funding and the effectiveness of accreditation exercises. Most universities where law is studied do not have a standard staff structure to rate the competence and eligibility of their staff. The minimum staff-student ratio is a mirage

because the employment of qualified personnel is not in pace with the admission and enrolment of students. The introduction of clinical legal education, for example, requires the involvement of expert and regular training of non-expert to really deliver the desired impact of clinical legal education.

**(c) Inadequate infrastructure** discourages the development and introduction of innovative courses in most universities, so much so that even if a gap is identified, the lack of infrastructure prevents the bridging of the gap.

## **7.0 CONCLUSION**

A student who has gone through the training of law is expected to be able to use law as a tool for the resolution of various social, economic, and political conflicts in society. Not only that, the training in law for national development and social engineering should produce 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.

The heterogeneity of the legal, social, moral, political and economic problems that lawyers are called upon to solve in an increasingly globalised and pluralistic society calls for a legal education involving classrooms, co-curricular and extra-curricular settings in ‘which the very hardest questions can be asked, the most imaginative answers explored and different perspectives heard’. The practise of law in the 21<sup>st</sup> century calls for an approach to 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 persists'. Religious diversity and mainstreaming gender into legal education curricular encourages the training of a larger pool of lawyers that are gender and culturally competent which will enable them to work effectively to address questions of exclusion, discrimination and disadvantage. The integration of interdisciplinary approach and transformative methodology in legal education will open vistas in education that further sharpen law as a tool for social engineering.