Transcript of Keynote Speech delivered at the Nigerian Bar Association Section on Public Interest and Development Law (SPIDEL) Conference

"**In Public Interest: Advancing Justice, Democracy and Development."**

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(Protocols)

First, let me thank the Section on Public Interest and Development Law, SPIDEL, and especially its Chair, the dynamic and inimitable Uju Agomoh, for the kind invitation to make these remarks on the theme "In Public Interest: Advancing Justice, Democracy and Development."

Let me also commend the Section for keeping public interest and development firmly on our profession's agenda. There is no section of the Nigerian Bar Association whose mandate is more consequential today, encouraging lawyers to look beyond finding and applying the law, and to see themselves as social engineers of sorts. That approach has become invaluable at a time of extraordinary global uncertainty and volatility. Across the world, familiar assumptions about democracy, justice and the lawyer's role are being questioned. Is democracy delivering a better life for the majority? What does access to justice mean to someone who cannot afford transport to court? How should the law respond to job losses with the increasing deployment of AI? What becomes of lawyers when AI performs so many of our tasks faster? How do we protect children from products designed to addict them?

Lawyers cannot afford to treat these developments as someone else's business. They affect the society in which our laws operate and the people whose interests we are supposed to protect. In any event, these are profoundly legal questions about power, opportunity and protection. They require the intervention of lawyers willing to examine how the law shapes people's lives. What, then, should we do? Our public interest

advocacy should focus on people's welfare, access to justice, livelihoods and children's safety. People-centred public interest advocacy. That may sound obvious. Yet a policy may be described as successful because revenue increased, while families experience it principally as higher food prices. A justice reform may produce impressive buildings and gadgets while the majority of disputes and conflicts remain unresolved. We must judge laws and institutions by whether they enable people to live securely, obtain education and healthcare, earn a livelihood, exercise their freedoms and challenge decisions affecting them. Equal rights can co-exist with profoundly unequal capacities to exercise them. The wealthy litigant and the indigent widow have the same entitlement to approach a court. Their practical opportunities are hardly comparable. So our task is to narrow that distance between citizenship's promise and its daily experience.

How?

First, democracy must connect more firmly to human welfare: jobs, food, healthcare, justice and the security of lives and livelihoods. Afrobarometer, an independent African research network surveying citizens about democracy, governance and everyday life, found across 39 African countries that only 46% trusted their presidents, only 37% trusted their parliaments, 47% only trusted their courts and 46% trusted the police. These are the institutions that should represent the people in various categories, they are the institutions that are to hold governments accountable, that should guarantee justice and protect citizens. When confidence in them weakens, obviously democracy suffers legitimacy. Much of the disaffection that people feel is rooted in the struggle to live decently – in the actual physical circumstances, the economic circumstances of people – and this is why people are so dissatisfied with democracy. Afrobarometer's study conducted across 2021 to2025, surveys across 38 countries including Nigeria, found that 59% of those that were surveyed across Africa (in the 38 countries) regarded their economies as bad, 51% said their economies had deteriorated, and 48% described their own personal living conditions as either fairly or very bad. On government's performance, 76% gave negative assessments on job creation, 73% on improving the living standards of the poor, and 79% on reducing inequality.

Moreover, 79% said they or their families had gone without cash income at least once during the course of the preceding year; 65% said they could not access necessary medicine or medical care; and 58% said they had to go without sufficient food for at least extended periods in the preceding year that the four year survey was conducted. The major result of persistent hardship is that people begin to wonder naturally whether democracy is making a difference in their lives.

But few things corrode the trust of people more deeply than the perception that official corruption is rampant; the belief that those entrusted with public power use it for extensively for private gain. Again, I go to the Afrobarometer's study 2021-2023: surveys across 39 countries found that 59% of those surveyed believed corruption had increased over the preceding year, while 67% judged that their governments were doing very little or nothing, or doing poorly to fight corruption. The question is not whether every perception is justified; that is not the immediate point. Those views reveal a profound crisis of confidence. For many Africans, political freedom has not translated into economic security or a reasonable expectation of a better life. But perhaps even more troubling of all of these indicators is the disappointment of people with democracies and the declining connection in particular between young people and electoral politics. Afrobarometer's latest surveys across 38 African countries show that only half of young adults aged 18 to 25 reported that they voted in the last national elections in their countries. Voter turnout generally in Nigeria, for example, has steadily declined in three election cycles. In 2015, 43.65% of the electorate voted; in 2019, it was 34.75%; in 2023, 26.7%. So there has been a significant steady decline from 44% in 2015, to 35% in 2019 and 27% in 2023. Yet young people are not indifferent to politics. Many are deeply dissatisfied with government performance of course and are willing to express their frustration through protests and other forms of political action. But the danger is that a generation which should be shaping Africa's democratic future may increasingly cease to believe even in that democracy itself.

These figures represent the experiences and judgements of citizens and we should listen carefully to what they are telling us about public leadership, about their daily struggles, and their expectations of the institutions that are entrusted with protecting their interests. None of this makes authoritarian government a better alternative – none

of these make military rule, for example, a better alternative. Another survey conducted by the UNDP in 2023 found that only 11% of respondents in countries where unconstitutional changes of government had already taken place preferred a non-democratic form of government. Elections confer authority to govern but they do not establish the capacity to govern effectively. That requires competent institutions, accountable leadership, sound policies and capable public administration.

What exactly is the purpose of the constitutional democracy where these processes that we defend – elections, independent courts, separation of powers and fundamental rights – are not maintained. All these institutions, these principles, are meant to serve the security, welfare and dignity of our people. Public interest lawyers such as ourselves must ask whether our institutions help governments deliver better lives, and whether officials account for public resources. This is where public interest and development lawyers have an especially important role to play. We must be concerned with whether governments obey the law, we must be concerned with whether the law helps people obtain the things that make a decent life possible. Our responsibility cannot end with defending the machinery of government while ignoring what that machinery produces. We must go beyond litigation: scrutinising budgets and expenditure, challenging administrative failures, and working with communities to improve public services. We must also confront the injustices in our own justice systems, the failures of public justice systems themselves. Cases that take years, judicial corruption, widespread impunity and justice beyond the reach of the poor and justice that undermines development. Look at the delays in court processes – a justice of the Supreme Court of Nigeria that had given evidence in a case in England that eventually went to the Court of Appeal, said that it would take ordinarily about 30 years for a case to go from High Court to the Supreme Court in Nigeria. It is clear that if cases can go on for disastrously long periods like that, there is no way that anyone can have confidence in the system, whether they are ordinary people or corporate organisations. Ultimately, democracy itself must be judged by so many different parameters, but in particular by how leaders acquire power, how they exercise it and whose lives improve. Our responsibility is not complete by just securing a democracy governed by law. We must also help build one in which the law makes justice, development and a decent life possible for everyone.

Second, we must organise justice around the problems that ordinary people actually face, offering people timely, affordable and fair responses. There are some useful models and I believe, with all humility, that some models emerged from the Lagos State Justice reforms between 1999 and 2007 when the administration of the current President, who was then Governor Bola Ahmed Tinubu, came into office and for that period I served as Attorney General for two terms. After several years of military rule, we felt we had inherited a Ministry of Justice, which was in fact was a Ministry of Law and Order. The primary concern of a Ministry of Justice under military rule is to protect State authority, maintain order and prevent disruption, sometimes including legitimate dissent. Of course, law and order are essential. But an unjust society can still be remarkably orderly. A just society protects everyone and provides a remedy when rights are violated. We decided, as part of the justice reform in that period, that all persons, regardless of status, were entitled to justice, and that justice must be people-centred, not institution-centred.

Now, think about what that means. It meant the State must protect the innocent, defend the vulnerable, ensure fair treatment for accused persons and provide remedies even where the State itself has violated someone's rights. That was a significant shift in how we understood our work. The Ministry had to take an interest in the citizen who had no influence, no money and no idea where to turn. Such a person's problem could not become less deserving of attention simply because it did not concern the government's own interests. We established for the first time a Directorate for Citizens' Rights. Traditional departments in the Ministries of Justice prosecuted offences, defended government actions, drafted laws and advised agencies. We wanted a department whose primary responsibility would be to protect ordinary citizens and the rights of ordinary citizens. Under it, we established the Office of the Public Defender, providing free representation in both civil and criminal cases. The institution legal defence in the country has traditionally defending criminal cases alone but the Office of the Public Defender was created to appear for disadvantaged citizens in both civil and criminal cases. Just as we hired and paid prosecutors, we hired and paid lawyers to represent the poor in both civil and criminal cases. Both lawyers for the defence of the poor and lawyers for the prosecution were law officers within the Ministry of Justice.

But providing lawyers was not enough. Courts could be expensive, intimidating and slow. For someone earning a living daily, repeated appearances can themselves become punishment. So we established Citizens' Mediation Centres, initially staffed by Ministry lawyers trained in mediation. Not every dispute requires a judge and years of litigation. Many family matters, inheritance, tenancy, employment and commercial disputes can be resolved fairly, quickly and without cost, and these mediation centres specialised in resolving these types of disputes. I recall that in the very first year of their operations, the Centres resolved over 8,000 disputes, compared with just under 2,000 disputes resolved in the Magistrates' Courts, and these days they are doing something in the order of 20,000 disputes annually. The real achievement was not simply the number of disputes resolved but that people could actually get on with their lives. A dispute that might have consumed years of earnings and repeated journeys to and from court could be settled through a process that was free and we were actually able to bring justice within the reach of people. The question we must always ask ourselves is how can the poor get justice? This is the majority of our people – how can the majority of our people get justice? How can a primary school teacher, for example, whose land has been encroached upon pay the legal fees? If not, what can be done? People-centred justice requires a change of mindset: it requires seeing justice as a simple process for obtaining redress, protection and enforcement of rights, especially for the disadvantaged.

The third question I think we ought to think about and resolve is what do we do about Artificial Intelligence? We must face the prospect that many well-paying jobs will be lost because of the way that AI tools are increasing not just in efficiency but also in intelligence. AI tools can research, analyse and draft at extraordinary speed. These are the skills that we as lawyers are trained in. What becomes of professional livelihoods when machines can perform so much of this work much better, much faster, and so much more efficiently than ourselves? The co-founder of Anthropic, Dario Amodei, has already warned that AI could eliminate within the next five years 50% of entry-level white-collar jobs. Many of us can already see this, even win the legal practice. In September 2026, OpenAI reported that an advanced AI system had produced a solution to the Navier–Stokes problem, which had challenged mathematicians for roughly ninety years. It reported reaching the result in 88 hours. The implications are

extraordinary. We are discussing machines capable of contributing to original intellectual discovery, even at the frontiers of knowledge. The prospects for millions preparing for careers in law, accounting, engineering, banking, software development and research are deeply troubling. As robotics advances, manual work may also be affected. The combination of intelligence, accessibility and speed is unprecedented. Everyone will soon have access to these tools, including our clients. The concern is especially serious for young people who have spent years preparing for professions on the understanding that their qualifications would offer a secure livelihood and suddenly find that, especially at the entry level, those things can be done very efficiently by machines. We owe them more than reassurance. We must think seriously about the opportunities that will remain and how to prepare young lawyers and especially ourselves for what is to come.

For lawyers, three questions arise. What will our distinctive contribution be as lawyers? The second is how will young lawyers acquire necessary skills and judgment if entry-level opportunities disappear? The third is what protection should apply to people whose livelihoods are displaced, whether these are lawyers or non-lawyers? In other words, what sort of legal response should there be to the loss of jobs?
Let me begin with our own role as lawyers. Our relevance cannot rest simply on finding a rule or preparing a court process anymore. A lawyer must now become a person of affairs: someone who understands institutions, economics, technology and human behaviour, and can explain whose interests a rule serves and what consequences it produces. We must strengthen our negotiation and conflict-resolution skills, and this is crucial because adversarial litigation is going to become less relevant. We must be able to verify, even where we use AI, the authenticity of the work and the accuracy of what AI produces because we will be ultimately accountable for the advice that is generated by AI. We must use AI to make legal services more affordable, this is our responsibility especially as public interest lawyers, while helping shape the rules that protect people who come across technology in various forms without stifling useful innovation. This gives practical meaning, in my view, to law as social engineering. We must ask who gains, who pays, who decides and who can obtain redress, and how. These questions of political economy now belong to our field of action as lawyers.

SPIDEL's work may therefore be existential for our profession and especially for the continued relevance of our profession. But how do we train the kind of lawyer that we need when machines undertake much of the preliminary work through which juniors traditionally learn?

Today, I can give ChatGPT or Claude or another generative AI tool the facts of a land dispute and prompt it to give me a good statement of claim, and I will get a statement of claim in seconds, or in, maximum, a couple of minutes. The tool will even advise on whether it should come by way of originating summons, or perhaps by way of writ of summons. An AI tool interfacing with my office database can prepare a defence and a brief in minutes. A judge can ask Claude to draft a reasoned judgment from the parties' final addresses. Clients can obtain legal opinions and interrogate the tools themselves, asking questions they would previously have brought to lawyers. For example, anyone can ask these tools, 'I'm going to Nigeria for business, what are the things I should look out for, what are the legal issues?' Many of these tools will give you quick and decent answers. This was what we made money from not too long ago. So, what is important today is that we as lawyers have to train differently because we must be able to ask questions and interrogate even the AI-generated output. Anyone who thinks that, after 2022 when all of these AI generative tools emerged, life is going to remain the same… obviously that is not going to be the case. Our law faculties, the Nigerian Law School, the NBA and law firms must work together to redesign legal education and pupillage – it is as serious as that. Anyone that thinks that things are not going to change fundamentally is obviously living on a different planet. I think that it is important for us to begin to think in terms of young lawyers needing opportunities to understand clients better, young lawyers to be taught negotiating skills; they must be taught to be able to defend their reasoning much more robustly than ever before because there will be several ways and counter-arguments to look at things.

There is a lot of work to be done here, but our responsibility also extends beyond our profession. What should SPIDEL do about the wider labour-market disruptions that will occur? We must consider what frameworks are relevant and what existing laws need to change. There are so many approaches now – the ILO has some approaches, the Europeans and the French have different approaches – but the general thinking is that the legislative response should require employers to give advance notice of substantial

technology-related redundancies, meaningful consultation, reasonable retraining and redeployment efforts, and minimum transition benefits. These protections should extend to professional and technical employees, including lawyers, accountants, engineers and software developers that will be affected.

The fourth is we must make children's protection a serious concern of technology governance. This is very important because a lot of social media platforms that are engineered to capture and hold attention of young people, children in particular, are still being developed every day, and we need to be able to protect the rights and interests of children. And not just children – many of us adults experience this. But we even have a choice; we can make reasoned decisions as to whether or not to use these platforms but children across the world are becoming addicted. There is a need for us to look at how to resolve some of these issues. There are quite a few options that have been proposed, and perhaps one of the things that we should take a good look at is what should the response of our own laws and legal system be to protecting the rights of people from harmful products and harmful use of technology.

I will leave it at that and conclude by simply saying that in the coming years, we are going to be dealing with much more than human rights. We are going to be dealing with extensive rights as we have pointed out: the labour rights, the rights of children, the rights of individuals not to be exploited by technology. We are going to be dealing with a wide variety of issues that may not have arisen before our courts or our systems yet. But most importantly, we are going to have to answer to a skeptical populace that is saying, 'What is the purpose of justice – what is the purpose of democracy – if it does not represent the vast majority of people, and the needs of the vast majority of people?' I believe that SPIDEL can make that contribution because this is perhaps the only section of the Bar Association that is committed to public interest law, to public interest litigation and also to development, and committed to ensuring that lawyers see themselves as not just technical professionals but as social engineers.

Thank you very much.