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## RESEARCH ARTICLE

### NIGERIAN LAWYERS AND PUBLIC PREJUDICES: AN OVERVIEW

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#### ABSTRACT

The Lawyer as a Bar Advocate proudly proclaims himself as a member of the honourable legal profession, which indeed he is. But there has been an enormous public prejudice against lawyers as defenders of criminals. The irreconcilable difference in the minds of the uninformed public is how could one who proclaims itself as a member of the honourable profession represent and defend the case of someone to whom the society had adjudged a criminal and societal misfit. This has been the bone of contention. Though paradoxical, a great deal of misconception and the uninformed public prejudice has grown around the lawyers' roles over the years. This article attempts to resolve this by way of examining what lawyers do as Bar Advocates. The paper employs the doctrinal method of research using the primary and secondary sources to highlight the true position of affairs surrounding public prejudice and misconceptions about lawyers. It submits that lawyers are within the elite circle of professionals who do not only command respect but enjoy a unique professional status all over the world.

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## INTRODUCTION

The lawyer as a bar advocates is one who pleads for another. He assists by defending those who have causes before the courts, to present their matters in line with the rules and principles of the law. The advocate carries out this duty by his power of persuasion, his orderly presentation, his flair for argument, his understanding of human nature, his personality and his capacity for hard work. The essence of the functions of an advocate is that, he is called upon to present the case of someone else in court. To most people, the word "advocate" conjures up in their minds, the art of oration usually associated with forensic eloquence. No doubt, it may form part of the professional equipment with which the advocate performs his work but then it may not be out of place to say that in all occasions, the exercise of the art of attractive and persuasive speech is required. The power of the spoken word, the impact, the force and beauty of language cannot be over emphasised. The work examines the public misconceptions and prejudices about lawyers.

### Historical Background of Public Misconception of Lawyers

Ever since the biblical apostolic era, when Apostle Paul was accused of blasphemy before King Agrippa,

the extent that King Agrippa was forced to confess that but for little persuasion, Paul would have converted him to become a Christian. Paul who was trained under Gamaliel, a renowned lawyer of his time, employed the oratory skills of a bar advocate, and was said to be almost mad as a result of much learning.<sup>1</sup> In his *Gulliver's Travel*, the author (Dean Swift) referred to the Bar as a "society of men bred up from their youth in the art of proving by words multiplied for that purpose that white is black and that black is white according as they are paid".<sup>2</sup> In another instance, it has been cajoled that the greatest asset of a lawyer is his "liability" which is rather spelt as "lie-ability"- i.e. "the lawyer's ability to tell lies". In other words, lawyers prove that white is black and that black is white. Lawyers have been erroneously given names from ages and it may be difficult to remove such prejudices and misconceptions about lawyers.<sup>3</sup> A story was told in the work of a learned author of a ship-wrecked crew on a shark infested sea. There was a lawyer among the crew. Everyone but the lawyer was afraid to swim ashore. The lawyer did swim ashore – the fact being that when the sharks saw him they formed a guard of honour for him as a mark of professional courtesy. They had seen a fellow shark.

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<sup>1</sup> Acts of Apostles, chapter 26:24-28. The Holy Bible, King James Version, Publishers: Zondervan, Grand Rapids, Michigan U.S.A.

<sup>2</sup> Jonathan Swift, *Gulliver's Travel*, England: Benjamin Motte Publishers, Dublin (1726).

<sup>3</sup> Anonymous: The Lawyer or Liar? The Myths and Realities of a Misjudged Profession, at [www.academia.edu](http://www.academia.edu) accessed on 25<sup>th</sup> January, 2020 by 5:45pm.

In other words in some quarters lawyers are regarded as sharks – (professional sharks). Most recently, there have been incessant attacks on lawyers particularly from the Federal Government and Political Parties. The President of Nigeria Muhammadu Buhari has emphatically said that the judiciary is the biggest setback in his government's fight against corruption. Even the acting chairman of the Economic and Financial Crimes Commission (EFCC) (Ibrahim Magu) which is the Nigeria's premier anti-graft enforcement agency that investigates all sorts of crimes alleged to have been committed in Nigeria, has further alleged that the judiciary is frustrating the efforts of the commission against the successful fight against corruption in Nigeria.<sup>4</sup> Erroneously, as suggested in many quarters, the lawyer does not by virtue of his profession; supplant his own views with that of the litigant. Rather, the lawyer assists the litigants to articulate his case in line with the rules and principles of law to which the lawyer has received professional training and in accordance with the ethics of the profession. It is unfortunate that most lawyers who render a *pro bono* service to the general public are also accused by the same public to which they spend their hard earned intellectual property to rescue. This is an irony.

It is apposite to state at this juncture that the legal profession to which a lawyer presides by his art of advocacy is a noble profession. He is unequivocally a minister in the temple of justice. This proclamation cannot be impeached irrespective of public misjudgement of the lawyers' work. Most often, the public finds it irreconcilable the roles of lawyers in defending those alleged to have committed criminal acts such as treasure looters and enemies of truth which has made the lawyers to be called names as defenders and friends of criminals. Such name-calling by the public may be excused not having sufficient information of the roles and duties of lawyers. It is against the backdrop that the paper examines the roles of lawyers and what law and the legal profession is all about.

**What is Law?:** No doubt, while the knowledge of law and what law is may appear rudimentary to non-lawyers, it may equally appear elementary for those within the corridors of teaching and studying the concept of law, that law has defied a universally acceptable definition. The reason for this is quite obvious. The divergent views on the meaning of law could be explained by showing that each school of thought is influenced by different socio-political, economic and historical background. Before embarking on the onerous exercise of defining law, the views of an eminent scholar of law of the blessed memory who was my lecturer, Professor I. I. Gabriel readily comes to mind. He once told the class that the definition of law could be compared with the definition and responses of five blind men who were asked to define an elephant. Based on their respective positions of touching the elephant described the elephant from their respective positions while touching the elephant. Those who stood at the trunk part defined the elephant as a big tree, those at the hind legs defined the elephant as a rod, those at the floppy ears defined the elephant as foam etc. The summary was that, each and every one of the five blind men defined the elephant from their respective positions. It was difficult for them to have the unanimity of a comprehensive description of the elephant in view of their various places of standing and touching the

elephant. So exactly it is with the definition of law in practical terms.<sup>5</sup> Nonetheless law is a collection of rules and regulations guiding a particular society which may be made by the legislative arm of the government in a democratic society or the monarch in an autocratic state. As already stated, no singular definition of law has been authoritative and free from criticism;<sup>6</sup> hence the relevance of the Latin word *squor hominess to sententiae*. As many men, so many minds.<sup>7</sup>

However, the need to look at few definitions of law is appropriate in a topic of this nature.

*The Black's Law Dictionary defines law as a regime that orders human activities and relations through systematic application of the force of politically organized society; or through social pressure backed by force in such a society.*<sup>8</sup>

The above definition appears to agree with the notion in certain quarters that, law is an artificial contrivance devised entirely by man for the regulation of human society. This agrees with the positivist school of thought as against the naturalist school of thought that sees law as a spontaneous outgrowth inherent in nature which is devoid of any human authority. For Essien, in quoting the works of H. Kantorowicz, agreed that law is a meta-historical question which has baffled some of the profoundest thinkers of all times and many nations. Till date, an exercise in reaching a universally acceptable definition is yet to be attained. And Lawyers are still looking forward to such a feat in order to end the controversy.<sup>9</sup> However, instead of engaging on endless debate on an acceptable definition of law, we shall rather throw our focus on the role that law plays in a society for a better understanding and comprehension of what law is all about.

Traditionally, every society consists of individuals who by way of necessity have to interact with one another for the purposes of achieving two basic goals which are:

- The achievement of individual aspirations and,
- The maintenance of the society's shared values for the commonwealth of all citizens.

The implication of human interaction in any given society implies the emergence and existence of rights and benefits, and as well, duties and obligations. In the state of savagery which was reminiscent of Hobb's Leviathan when man was wolf to his fellow man, every man was armed and was law to himself.<sup>10</sup> The scene changed when organised societies were established. Then men lay aside their arms and took their causes to the courts for ventilation. Law is a phenomenon that exists in any modern human society for the regulation of human conduct. This is expressed in Latin maxim

<sup>5</sup> I. I. Gabriel, *Basic Schools in Jurisprudence*, Jos: Mono Expressions Ltd., 1997.

<sup>6</sup> EseMalemi, *The Nigerian Legal System*, Lagos: Prince Publishers Co, 3<sup>rd</sup> ed. 2012, p. 4.

<sup>7</sup> I. I. Gabriel, *Basic Schools in Jurisprudence*, Jos: Mono Expressions Ltd. 1997 p. 2.

<sup>8</sup> Bryan A. G. "Black's Law Dictionary". Ninth Edition, West: A Thomson Reuters Business, p. 64.

<sup>9</sup> Enefiok, Essien "General Principles of Nigerian Law" Lagos: Toplaw Publishers Ltd, 2012 P.1 in quoting H. Kantorowicz, *The Definition of Law*, Cambridge University Press 1958, p.1.

<sup>10</sup> Oputa C. A., *Modern-Law and Advocacy* Enugu: Committee for Law Reporting and Reprinted by Cynake International Press Ltd, Aba, 1987, p.7.

<sup>4</sup> The fight against corruption in Nigeria has been alleged by Government to have suffered a setback as result of the activities of the judiciary. Against such background, Supreme Court Judge Sylvester Ngouta suspended from office while the form C.J.N was later suspected and finally retired.

*Ubisocietiesibiius*. Law is a synthesis of justice and order for resolving conflicts and protecting interests in an orderly manner without the resort to human help. It was in this regard that an eminent jurist Kayode Eso JSC maintained that law acts as a social modulator in the advancement of justice.<sup>11</sup> It was further against the above background that Roscoe Pound's view of law as a form of social engineering, balancing the various interests within the society in the most efficacious way can be more affirmed.<sup>12</sup> An effort to discuss the entire objectives and functions of law in a paper of this kind would overtly, be unwieldy. We shall then summarize it by mentioning that law is an indispensable apparatus for the maintenance of peace in any given society through its dispute resolution mechanisms. It is used to define the structure and organisation of State e.g political structure through the National Constitutions. It acts as an instrument of economic, political and social change. Law is used to confer legitimacy i.e, governmental actions, procedures, institutions and events derive their legitimacy from law. Law guarantees freedom and fundamental liberties. Law preserves fundamental human rights conferred on man by nature and above all, law defines relationships upon which all events co-exist. By the instrumentality of law, the courts of law enshrined the greatest and safest title deeds of real civilization and the best guarantee for freedom, fundamental rights and progress.

**Who is a Lawyer?:** The term "Lawyer" is a generic term used to describe anyone who is qualified and licensed to practice as a legal practitioner. A lawyer is a professional who is qualified to offer advice about the law or represent someone in legal matters. A lawyer can also be called an attorney, solicitor, a counsellor, legal practitioner or a barrister. A lawyer is somebody whose profession is to give legal advice and assistance to clients by representing them in courts or in other legal matters. He must have oratory skills and persuasively assertive in his presentations in court. In Nigeria, the legal practice is a fused system whereby a person who qualifies as a lawyer practices as both a solicitor and advocate. This is a unique and strange system when compared with some other Western jurisdictions such as United Kingdom and United States where a lawyer qualifies as either a solicitor or an advocate.

**The Role of a Lawyer:** The attainment of justice it would be said to be the core role of a lawyer. It is against this background that, a learned judge, centuries ago had this to say: *The court in which we sit is a temple of justice, and the advocates of the Bar as well as the judge upon the Bench are equally ministers in that temple. The object of all equally should be the attainment of justice.*<sup>13</sup>

In *Rondel v. Worsley* Lord Denning, M.R. reiterated that an advocate "...is a minister of justice equally with the judge".<sup>14</sup> The role of a lawyer is that of advocacy. An Advocate is one who pleads for another. He is a professional pleader. In other words, he addresses the court as an advocate on behalf of a party to a suit. He must possess the power of spoken words; the impact, the force and beauty of language.

*The most important element in all advocacy whether in the court of law, in parliament, from the pulpit or anywhere else, the art of attractive and persuasive speech on all occasions that call for its exercise.*<sup>15</sup>

A lawyer, in his art of advocacy must possess the power of persuasion with orderly presentation of his case in court; he must have flair for argument with perfect understanding of his matter and human nature. Above all, he must possess a charming personality with a capacity for hard work. Nonetheless, by virtue of section 24 of the Legal Practitioners Act,<sup>16</sup> a legal practitioner means a person entitled to practice as a barrister either generally or for purpose of any particular office or proceedings.

Despite several popular prejudice and misconceptions against the lawyer in the exercise of his legitimate roles as an advocate particularly in times like this, it is pertinent to highlight further, some of the roles of a lawyer:

- In the lawyer's capacity as an advocate who is called upon to plead the cause of another in a suit or other matters, he represents his clients' belief or disbelief in that cause and the lawyer's personal belief is immaterial. In pleading his client's cause the lawyer is not expected, and should not be misconceived to be stating his own views but his client's views.
- The function of an advocate is to present one side of the case with all the skills he possesses so that the judge may have the privilege to compare his presentation with that of the counsel on the other side and then decide on where the truth lies.
- In criminal cases like murder, it is never the role of the advocate to try to secure a conviction or an acquittal at all costs. The role of the advocate is to fairly and impartially exhibit all the facts to the jury or the court as the case may be. The only interest of the advocate or counsel is to ensure that the truth should be known and that justice should be done while the guilty is to be punished.
- The counsel has to make sure that the evidence he proposes to adduce is relevant and admissible. He must ensure that the evidence in favour of the accused is before the court.
- For the prosecuting counsel, his role is to establish the case beyond reasonable doubt and will not omit to remind the court about his responsibilities.
- It is not the role of the counsel to decide whether or not a party before the court is guilty. That role is for the judge to decide.

**Duties of a Lawyer:** Closely connected with the role of the advocate are his duties. Most often, both the roles and duties are tied together and indistinguishable. A legal practitioner owes a number of duties to the court, the client, the general public, the state, his fellow advocates and the profession. Generally a lawyer shall uphold and observe the rule of law, promotes and foster the cause of justice, maintain a high standard of professional conduct, and shall not engage in any conduct which is unbecoming of a legal practitioner.

<sup>11</sup> Kayode Eso, K, "Concept of Law and Justice Under the Nigerian Constitution Judicial, Lectures: Continuing Education for the Judiciary" Lagos: MIJ Professional Publishers Ltd 1991.

<sup>12</sup> Freeman, M., "Legal Structure", London: 1974 as quoted in Malcolin N. Shaw, International Law, 6<sup>th</sup>ed, Cambridge University Press, Pp. 52 – 55.

<sup>13</sup> Per Cranpton J, In R. Vs. O'Connell (1884) I.R. Ir. 261 at p.312.

<sup>14</sup> (1966) 3 ALL ER 657 at p. 665.

<sup>15</sup> Oputa, C. A., "Modern Bar and Advocacy", Enugu: Committee for Law Reporting and Reprinted by Cynako International Press Limited, Aba, 1987, p.2.

<sup>16</sup> Cap. 207, Laws of the Federation 1990.

**Lawyer's Duty to Court:** The lawyer and the judge are ministers and co-worshippers in the temple of justice. The lawyer has a paramount duty to the court to protect and foster the course of justice.<sup>17</sup> By that he must not conceal or mislead the court. He should not be improperly dressed but comports himself in court with decorum and with utmost respect<sup>18</sup>.

**Lawyer's Duty to Client:** A lawyer owes a lot of duties to his client. He has a duty to accept brief in the court in which he practices subject to proper professional fees<sup>19</sup> no matter how unpopular the client's case may be.

**Lawyer's Duty to the General Public:** The responsibility of lawyers are no longer confined to his clients only but also to the community at large. This is because; a lawyer is a social engineer whose skill should be held in trust for the community. This proposition received judicial approval in the Nigerian case of *Williams v Akintunde* where PATS – ACHOLONU had this to say:

*We all agree that the Attorney whose professional thoughts begin and end with his own private clients is a pitiable mockery of what a great lawyer really is and that only by taking part in the movement for the betterment law profession can he practice law in the grand manner, and only way it is worth practicing law in the grand manner, and only it is worth practicing.*<sup>20</sup>

This is in addition to the resolution of the International Commission of Jurists (I.C.J) which was held in Rio de Janeiro in 1962 whereby it was further concluded that it is the duty of lawyers in any country to help ensure the existence of a responsible legislature elected by democratic process and adequately remunerated judiciary and always be vigilant in the protection of civil liberties etc. Gower, a renowned jurist further acknowledged the duties of lawyers beyond the shores of litigation when he opined that countries need courageous lawyers with the highest ethical standards if the rule of law and personal freedom are to be preserved, and the corrosive growth of corruption, nepotism and elitism are to be arrested, and if military and police power are to be kept within bounds.<sup>21</sup>

**Lawyer's Duty to Fellow Advocate:** Lawyers should not allow the ill-feelings of litigants to affect their personal relationship with one another. It is against such reasons that regular dinners for lawyers are organised to promote fraternal feelings and commensality among lawyers. By Rule 27(1) of the Rules of Professional Conduct, lawyers should observe good faith and fairness in dealing with one another. They shall treat one another with respect and dignity.

**Lawyer's Duty to his Profession:** A lawyer should not advertise himself. The choice of a client over particular lawyers should not be by advertisement. The best service a lawyer can render to his profession is the maintenance of the highest standard of professional conduct and ethics.

**Lawyer's Duty to Show Reasonable Diligence:** In

*Cocottonpopulous v PZ Co. Ltd*<sup>22</sup> it was held that a lawyer is under a duty to show reasonable diligence and caution and ought to warn his client against the initiation of a case that is purely speculative and devoid of merit. In *Bello Rajiv X* (a Legal Practitioner)<sup>23</sup> where the counsel told the plaintiff that he had a good cause of action even when the action was statute barred by virtue of Public Officers Protection Ordinance based on which the plaintiff briefed the lawyer. On the hearing date, counsel was absent in court and the case was struck out. It was held that the counsel was liable for gross negligence for mis-advising his client to bring an action that was statute barred.

**The Bar and the Bench :** The Bench and the Bar are inevitable partners in the administration of justice, they must therefore strive to ensure mutual respect and co-operation for each other. The relationship between the Bench and the Bar is symbiotic. One cannot operate to optimum capacity without the other. Indeed, the judges of all superior courts other than Sharia Courts must be legal practitioners, i.e. members of the Bar. While it is the duty of the Bench to decide and determine the rights of parties to suits, it is the duty of the Bar to assist the Bench in ensuring that justice is done. Rule 4(1) of the Rule of Professional Conduct for Legal Practitioners describes the lawyer as "...an officer of the law charged... with the duty of aiding in the administration of justice".<sup>24</sup>

**The Training to become a Lawyer, Curriculum, Duration, Teaching, Methodology, Continuing Education, Ethical Theory and Practice:** In Nigeria, the training to become a lawyer starts with the University education. Ordinarily, a person desiring to become a lawyer in any of the Nigerian Universities is required to have completed a secondary school education with 5 credits in English Language and English literature amongst others. Candidates may also be admitted to study law by direct entries after the first degree in other disciplines or by undertaking the Unified Tertiary Matriculation Examination (UTME). The direct entry students are admitted into the second year programme of five years while the UTME are admitted into the first year programme of five years. After a successful completion of the candidate's five year programme, in the university, the candidate is admitted into mandatory vocational training for persons seeking to practice law in Nigeria. The Nigerian law school educates and trains law graduates in vocational knowledge and practical skills that would enable them to function as barristers and solicitors. The training lasts for one year.<sup>25</sup> It may be appropriate to mention that apart from the Nigerian Law School, certain other institutional bodies are responsible for the qualification of lawyers to practice in Nigeria. These are the Council of Legal Education and the Body of Benchers.

**Continuing Legal Education:** By virtue of Rule 11 of the Rules of Professional Conduct for legal practitioners, requires those who wish to practice as legal practitioner, to participate in and satisfy the requirements of the Mandatory Continuing Professional Development Programme operated by the Nigerian Bar Association. By Rule 12(3) a lawyer is prohibited

<sup>17</sup>Osita Nnamani Ogbu, *Modern Nigerian Legal System*, Enugu: SNAAP Press Ltd, 3<sup>rd</sup>ed, 2013, P. 415.

<sup>18</sup>*NBA v Fawehinmi* (No. 1) 2 NWLR (Pt 105) P. 494

<sup>19</sup> See Rule 35 of the Rules of Professional Conduct.

<sup>20</sup>(1995) 3 NWLR (Pt. 381) P. 101.

<sup>21</sup>Gower, "Independent Africa: The Challenge of the Legal Profession" (1966) p.24  
102 quoted in Osita Nnamani Ogbu, *Modern Nigeria Legal System*, Enugu: SNAAP Press Ltd, 3<sup>rd</sup>ed, 2013, p. 415.

<sup>22</sup>(1965) LLR 170.

<sup>23</sup> (1946) 18 NLR 74

<sup>24</sup>Orojo Olakunle, "The Bench and the Bar: A Partnership in Justice", 1995 P.3.  
<sup>25</sup> See Chinwendu Okoroma "How to Qualify as a Lawyer in Nigeria."

from conducting or taking part in any proceedings in court or judicial tribunal or signing any legal documents, unless he holds an Annual Practising Certificate issued by the Nigerian Bar Association under this Rule.

**Ethical Issues:** The conduct of legal practitioners is regulated by the provisions of the Legal Practitioners Act and the Rules of Professional conduct in the Legal Profession. The Rules of the Professional Conduct in the Legal Profession is a subsidiary legislation made under the Legal Practitioner's Act for the maintenance of the highest moral standard and conduct of legal practitioners. The Rules of Professional Conduct are Rules of ethics at the Bar. The various duties to which the lawyers owe to the clients, the court, the prosecuting and Defence Counsel, the general public and state, and above all, the legal profession are all provided in the Rules of Professional Conduct in the Legal Profession. It is provided that the conduct of a lawyer before the court and other lawyers should be characterised by candour and fairness; and lawyers should in court inform the presiding judge of subsisting decided cases even where the decision is against his client.<sup>26</sup>

### Challenges and Prospects of Legal Training

#### **Need for Full Integration of ICT to the Faculties of Law:**

The need for the full integration of Information Communication Technology in the faculties of law in Nigeria is no longer a fanciful idea but has become imperative as ICT now drives the world. There must be a multi-disciplinary approach to legal teaching and research. This will enable the students to be more exposed and grounded in both legal practice and research in Nigeria and outside the shores of Nigeria.

#### **The Need for Adequate Synergy between Nigerian Law School and the Faculties of Law:**

There is need to incorporate certain courses only taught in the Nigerian Law School in the University's curriculum. The procedural courses that are introduced to most students for the first time in the Nigerian Law School and by which the students are expected to master such courses within the nine (9) months training should be introduced to the students at the university level within the five years of their training. This will enable them to have firm grip of procedural laws such as Civil Procedure, Property Law, Professional Ethics and Company Law Practice etc.

#### **The Curtailment of Incessant Strike Actions:**

One factor that has militated against the study of legal education in Nigeria is the incessant strike actions either, by ASUU, SSANU, NASU and by extension, students' demonstrations. Government should find ways of having a harmonious working relationship with these unions thereby curtailing the occurrence of these strikes as they gravely impede the teaching and learning of legal training in Nigeria.

**Over-Admission of Students:** Ordinarily, most faculties are bereft of adequate facilities to cater for the number of students seeking for legal education. The desire to be trained as a legal practitioner has made most faculties to admit more than their quotas thereby over-stretching the available facilities. More law faculties should be established all over the country. This challenge must be addressed by government.

**The Accreditation of More Law Facilities:** In view of the number of Nigerians seeking to be legal practitioners, governments should make more efforts in establishing more law faculties by building more universities. Besides, efforts should be made to assist already existing universities that are not accredited by N.U.C. and Council of Legal Education by providing such facilities lacked by them in order to be accredited. This would create more opportunities to aspirants of legal profession. A good example is the National Open University of Nigeria Law Programmes which is not accredited by council of Legal Education and National University Commission.

**The Establishment of Private Law Schools:** In line with what is obtainable in certain other jurisdictions such as United Kingdom and U.S.A, where the "Inns" are established, there is nothing wrong in following suit in order to create more opportunities for those aspiring to be lawyers. These Private Law Schools if created should be, controlled by Council of Legal Education while the Nigerian Law School will conduct a central examination at the finals.

#### **Annual Rating of Faculties as a Measure of Giving Admission Forms:**

This will go a long way in making sure that it is only the deserving faculties that should be given more or higher numbers of Law School forms. This will be contrary to the previous arrangement where certain universities have a permanent rating quota by the Council of Legal Education even where such premier universities may have little or nothing to offer in the current dispensation. By annual rating of faculties, a healthy competition will be created amongst the various faculties.

**Certain Public Misconceptions:** The public prejudice about lawyers has risen as a result of several misconceptions amongst which few may be highlighted herein:

- The misconception that lawyers are legitimately allowed to tell lies for the benefits of their clients. Lawyers, by virtue of their training owe a duty to their clients, the court and the public at large. A deliberate attempt by the lawyer to lie to the court which may amounts to deceiving the court obviously may attract the wrath of the court by way of contempt and against the rule of his professional ethics.
- The misconception that lawyers claim to be the "know-it-alls" is majorly rooted on professional envy. Lawyers never equated themselves with the all-knowing God. Lawyers are only ambitious professionals who sacrifice their personal comforts to carry out endless research to ensure that justice is done and for the benefits of their clients and the society at large.

### Conclusion

This paper has attempted to supply some answers to most public misconceptions about lawyers and their roles. In our modest examination of the subject matter, recourse has been had on the proper examination of the objectives and functions of law as a way of giving a better understanding of what law really is. The paper has thrown some light on what a lawyer is in Nigeria. This is most important when viewed against the background of the Nigerians fused system of legal practice where a lawyers acts as both a solicitor and an advocate which is contrary to what is obtainable in certain western jurisdictions where a lawyer acts either as an attorney or solicitor, each

<sup>26</sup> See Rule 23 of the Rules of Professional Conduct.

receiving different training. The paper has further shown that the role of a lawyer is mainly, that of advocacy whose greatest asset lies in his power of persuasion, his orderly presentation, his flair for sound argument, his understanding of the human nature, his charming and admirable personality coupled with his capacity for hard work. By highlighting the various roles and duties of lawyers, the paper has sought to clarify the unwarranted prejudice and misconception of the public on who a lawyer really is.

Finally the lawyer does not supplant his client's views with that of his own views but only offers his professional skills by articulating his client's case in accordance with the rules and the principles of law. Lawyers are assertive in the cause of their legal pursuits with commitments that cannot be rivalled to any other profession. Besides, lawyers are amiable set of professionals who show empathy to the deprived by engaging on *pro bono* services in order to ensure justice within the society. The legal career has been for generations the hallmark of prestigious and elitist profession that does not only command respect but enjoys a unique professional status.

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