
THE ROLE OF ARTIFICIAL INTELLIGENCE IN CREATING A SUSTAINABLE LAW PRACTICE IN NIGERIA

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ABSTRACT: *The quest for artificial intelligence by the world as a whole is to show the determinable level of human perceptions from humans towards machines and to replace themselves with those machines. By this foregoing, every profession in order to meet up with the new global reality has embraced the use of artificial intelligence in its operations. Law as a mother of all professions has followed suit to welcome the use of artificial intelligence in its world practice. Nigeria legal profession has also endeavoured to imbibe the use of artificial intelligence but that alone had led to divergent views by various authors on whether or not artificial intelligence can create and sustain the future of Nigeria law practice yearns for. This paper focuses on introduction and meaning of artificial intelligence, brief historical background of artificial intelligence vis a vis Nigeria Legal profession, statutory provisions regulating artificial intelligence in Nigeria legal system (if any), two school of thoughts on artificial intelligence in Nigeria law Practice and lastly is the conclusion and recommendations. To achieve these, the writer will make use of relevant materials at his disposal.*

KEY WORDS: artificial intelligence, Nigeria legal profession and creating a sustainable law practice

INTRODUCTION

According to Muthoni Wanyoike that mindful optimism disentangles us from the fear and fantasy of an Artificial Intelligence apocalypse. It helps us identify the future we want, and not just the future we fear.² The role of artificial intelligence in today's world is not limited to the developed nations alone but it is the striving of the developing nations too to imbibe the applications of artificial intelligence across board. Generally, the quest for artificial intelligence by the world as a whole is to show the determinable level of human perceptions from humans towards machines and to replace themselves with those machines. That is why Agunbiade posits that developers of Artificial Intelligence believe that human behaviour can be neatly categorised and replicated by intelligent machines that have been programmed to behave so.³ The uses of artificial intelligence are not also restricted to one particular sector but also in all sectors ranging from media and communication, healthcare, automotive industry, finance and banking, legal profession and so on have all embraced this modern day technological development.

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² Doha Debates, "Artificial Intelligence" (Qatar Foundation, North West University, Doha: 3rd April, 2019) <https://youtu.be/VuziUw_UHdA accessed on the 5th of April, 2019 > re-accessed on 9th June, 2020

³ A.I. Agunbiade, "Artificial Intelligence And Law: A Nigerian Perspective" *Unpublished Thesis*, Obafemi Awolowo University (OAU), Nigeria 2018 <<https://www.academia.edu/40338183/Artificial-Intelligence-and-Law-A-Nigerian-Perspective>> accessed on 9th June, 2020

The historical antecedent of artificial intelligence can be said to be in antiquity. In the 1st century, the early whispers of Artificial intelligence that is, Egyptian and Greek mythologists have possessed the belief that mechanical statues were capable of wisdom and emotion.⁴ Until 1956, when the Artificial Intelligence was first birthed at a workshop in Dartmouth College, New Hampshire, United States with the title- the Dartmouth Research Project on Artificial Intelligence which lasted up to eight weeks and it was there that the term ‘Artificial Intelligence’ was properly coined.⁵ However, between 1974 and 1980, the success of that first wave of artificial intelligence was short lived due to funding constraint which brought about the second wave of artificial intelligence led by Japan with the focus on the commercial application of expert systems, a variant of artificial intelligence that simulated the knowledge and expertise of human experts into a system known as Lisp machines.⁶ This enthusiasm was however short-lived as the collapse of the Lisp Machine market marked a setback in artificial intelligence for commercial purposes.⁷ Aftermath that is the inception of the third wave of artificial intelligence from 1997 to date with global inventions of high packed technologies like AIBO, iRobot, American MAFIA, Google Duplex, ROSS(AI Lawyer) and so on.⁸ Also, the observation is that during that period, there were stronger ties between the Artificial Intelligence community and disciplines like economics, mathematics etc that dealt heavily with data. It can therefore be said that artificial intelligence is data-reliant because the amount of data it has made available to it aids machine learning and perception, so that it can attain the programmed goal.⁹ Unlike in the 20th century when development of artificial intelligence technology was largely confined to ivory towers and research institutes, thus subject to the ebb and flow of fiscal policy, artificial intelligence development in that period has been pioneered by private capital.¹⁰

Before delving into this essay, there is need for the definition of Artificial Intelligence as postulated by some scholars.

According to dictionary Britannica,¹¹

Artificial Intelligence is simply defined as the ability of a digital computer controlled robot to perform tasks commonly associated with intelligent beings, the term is frequently applied to projects of developing systems endowed with the intellectual processes and characteristics of humans, such as ability to reason, discover meaning, generalise or learn from past experience.

⁴ Pamela McCorduck, “*Machines Who Think*” (A K Peters Ltd.1st pub. 1979: 2004)

⁵ J. Moor, “The Dartmouth College Artificial Intelligence Conference: The Next Fifty Years” *AI Magazine*, Vol.27, No.4

⁶ Rinu Gour, “*What is Expert System in Artificial Intelligence – How it Solve Problems*” (Medium: November 15th 2018)

⁷ Richard Greenblatt, “Chess Programming” <https://www.chessprogramming.org/Richard_Greenblatt> accessed 10th February, 2019. Re-accessed 9th June, 2020.

⁸ Agunbiade, “Artificial Intelligence And Law”, note 3

⁹ N. Bassiliades, I. Maglogiannis, and E. Stamatatos, “*AI Applications and Mathematical Foundations*”, EETN <www.eetn.gr/index.php/about-eetn/eetn-publications/ai-research-in-greece/ai-applications-and-mathematical-foundations> accessed 11th February, 2019. Re-accessed 10th June, 2020

¹⁰ Li Jiang, “*10 Most Important People in Artificial Intelligence in 2017*”, (Medium: 2017)

¹¹ B. Jack Copeland, “Artificial Intelligence” (Encyclopaedia Britannica 15th ed.,: 2001)

To Agunbiade,¹² artificial intelligence refers to the simulated intelligence in machines that enables them to replicate, mimic and act like humans.

Having understood what artificial intelligence is, the question now is: can artificial intelligence create a sustainable law practice in Nigeria? To answer this, I will depend on the two school of thoughts, I term the constructive and the disruptive on AI, to resolve it.

Law Practice as a sacred profession is dynamic in nature and not static. To engage in our law practice, there is need for the person's name to be enrolled in Nigeria in line with the Legal Practitioners Act of 1962.¹³ The legal effect to this essay is that with this law still in force, it is difficult for artificial intelligence to play any role in sustaining our law practice.

To the constructive school of thought, artificial intelligence is a welcome development as Agunbiade strongly posited that lawyers should not join debates about whether Artificial Intelligence will destroy or benefit humanity; they should be more concerned about how they leverage this new technology to their benefit. By virtue of their training, the average lawyer is a constant learner and as such, learning how to wield such technologies, should not be a challenge, once they adopt an open mindset towards it. He further achieved this by relying on what is obtainable in the United States of America and Israel where the former through the use of Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) helped the State of Virginia, one of the first to adopt this system, decreased the rate of prison population growth from 31% annually to 5%.¹⁴ While the latter, the State of Israel has introduced artificial intelligence in the decision-making process with respect to traffic cases.¹⁵

To the disruptive school of thought, they generally agree that there is no means of avoiding the disruption that is coming the way of law practice.¹⁶ Adeyoju¹⁷ explored the disruptive effects that Artificial Intelligence poses to legal practice in developing nations. He cites the *Case of Cruncher Alpha*¹⁸ which was pit against 100 commercial lawyers and given a series of factual cases, numbering in the hundreds. Both sides were tasked with predicting the outcome of these cases. Case Cruncher achieved 86% accuracy and won by over 20%. The legal effect of this is that law practice will be at the mercy of the machines thereby reducing the monopoly of tasks that a human lawyer can call his exclusive preserve. More so, the possible challenges- robot rights, data protection, and lack of cyber laws, poor technology and intellectual property to be posed can debar the sustainability of Artificial intelligence in Nigeria law practice.¹⁹

¹² Above note 3

¹³ See LPA, Section 2 (1)

¹⁴ Jacek Krywko, "To fix algorithmic bias, we first need to fix ourselves", (Quartz – 17th August, 2017)

¹⁵ Schild and Kannai, "Intelligent Evaluation of Traffic Offender Records", *Legal and Negotiation Support Systems* 2009 (LDSS: 2009), A Post-Conference Workshop at the 12th International Conference on Artificial Intelligence and Law 12th June, 2009 Vol.4

¹⁶ Above note 3

¹⁷ Ademola Adeyoju, "Artificial Intelligence and the Future of Law Practice in Africa", (Tekedia: 16th December, 2018)

¹⁸ Note 17

¹⁹ Above note 3; "Hi, I am Sophia..." Hanson Robotics <<https://www.hansonrobotics.com/sophia/>> accessed 12th February, 2019. Re-accessed 10th June, 2020

In Nigeria, the recent occurrences have shown that our law practice is very much aware of the global change to be greeted by artificial intelligence and that should make us prepare for it. Interestingly, Nigerian law practice now makes use of Law Pavilion which is an AI legal assistant designed to assist attorneys and lawyers with legal research and electronic law reporting. Secondly, the introduction of virtual hearing by practice directions of most federal and state courts of the federation is also a way to show that artificial intelligence have come to complement our law practice.²⁰

In conclusion, the panoramic views of the two school of thoughts show that none of them detest the emergence of artificial intelligence into Nigeria Law Practice. However both schools caution that in embracing this new technology, lawyers should be careful not to overhype it than necessary as creatures should not be greater than it creator.

It is therefore worthy of note that the role of artificial intelligence in Nigeria Law Practice is to provide best legal services in a better, faster and more cost-effective ways.²¹

²⁰ <<https://www.bamandgadsolicitors.com.ng/artificial-intelligence-and-lawyers-in-nigeria>> accessed 10th June, 2020

²¹ Ibid