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Legal Aspects of Granting Subjectivity to Artificial Intelligence: Prospects of Using Robots in Legal Practice in Nigeria

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online dispute settlement,
robot lawyer,
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Abstract

Objective: to determine the potential and acceptability of using artificial intelligence in legal activities according to the Nigerian law.

Methods: the research is based on scientific analysis, as well as formal-legal, comparative-legal, historical-legal and systemic-functional methods. The scope of the research is represented by the norms of legislation, including expired normative legal acts, as well as scientific monographic and periodical literature.

Results: It was found that artificial intelligence and robot lawyers are inevitable innovations in the legal practice of many countries, including Nigeria. The use of these digital technologies has proven to be highly effective in activities related to the administration of justice, providing assistance in four areas of legal services: consulting and guidance, searching for materials, data analysis and forecasting the trial results. Technology greatly facilitates the work of lawyers, given the amount of legal services. In addition, the author show that while the use of artificial intelligence may generally be considered justified, the involvement of robot lawyers in legal practice in Nigeria faces

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both legal and ethical barriers. The laws on legal education and legal practice in force in this country do not recognize robot lawyers as persons licensed to practice law in Nigeria. Robot lawyers must be given the status of a person before they can fully implement their potential in the legal practice of Nigeria.

Scientific novelty: this is primarily due to the formulation of a research task to determine the possibility of a robot acting as a practicing lawyer within the legal framework in Nigeria.

Practical significance: the conclusions formulated in the paper, namely, the inevitability of using artificial intelligence and robot lawyers in legal practice and the current legislation governing legal practice in Nigeria, will be useful when considering amendments to legislation in order to adapt it to the current level of digital technology development.

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Introduction

Indeed, technology is a product of globalisation which has over the years shown to be highly instrumental to the global changes in all spheres of human life (Antonio & Estrella, 2020) and a binding thread for civilization in the twenty-first century (Contini, 2020). The advent of technology has impacted all aspects of human relationships. It has enhanced a paradigm shift from a rigid system to a flexible one (Aidonojie et al., 2020). The possibility of exchanging ideas, transacting businesses, and even communicating with people in different parts of the world without necessarily seeing them face to face is courtesy of the flexibility that technological advancement has brought to the world (Ikubanni & Aidonojie, 2021). The quick access to information and data today is one of the many blessings of the advancement in technology (Halima, 2016).

The use of sophisticated technological facilities such as Artificial intelligence, drones (Gallesse, 2023), Global Positioning Systems (GPS), self-driven cars and Close Circuit Camera television (CCTV) amongst others have been identified as some of the facilities that have enhanced the technologically oriented developments happening around the world today¹. These emerging technologies are today the key forces that influence public sector organisations as they are used to handle public infrastructures and service delivery (Jiya et al., 2023).

The legal profession and the practice of law have also been impacted by Artificial Intelligence (Xu, 2022). Legal practitioners are highly trained professionals who litigate disputes in a court of law, evaluate facts, write judgments, offer legal advice, and prepare documents amongst other things using their special skills and intuition (Alarie et al., 2018; Aidonojie et al., 2021). It is often thought that these services require high intelligence that only humans can possess (Alarie et al., 2018). Therefore, the nature of these services and the skills and time required to render them often determine the cost of these services (Alarie et al., 2018). Interestingly today, technology through AI has now been employed to perform the functions of humans and perhaps even better (Alarie et al., 2016). The most fascinating thing about these machines is the fact that they function so perfectly in an error-free manner with so much precision while most function with little or no human supervision, unlike humans (Aidonojie et al., 2020).

Today, undoubtedly, technology has become a significant aspect of the legal profession in Nigeria (Aidonojie et al., 2021) and other jurisdictions (Obianyo & Ater, 2022). It has impacted positively the practice of law as well as effectively and efficiently enhanced the administration of justice (Aniekwe, 2021). The use of AI in the legal profession is one of the most widely embraced technological facilities in the legal profession because it makes the work of lawyers easier mostly in areas of legal research², document review, risk assessment, legal drafting, etc. In several climes, the application of AI to court processes has recorded outstanding success (Richard & Solow-Niederman, 2019).

In a competition for conventional business contract reviews, an AI system created by the Israeli legal technology startup Lawgeex defeated 20 of the best attorneys in the field in February 2018. Furthermore, the system's average accuracy rate is 9% higher than that of humans³. During the entire process, tasks that would have taken humans 92 minutes to complete were completed by the system in 26 seconds, meaning that in terms of speed and efficiency, it has successfully executed a «double kill» on humans (Hu & Lu, 2019).

¹ Mcmillian, J. (2013). The Impact of Technology on Administrative Justice System: a speech presented to AIAL National Administrative Law Forum, Canberra on 18th July 2013. AIAL Forum No. 75. <https://goo.su/xtU7H>

² Law Pavilion Electronic Law Report is a notable artificial intelligence usually used by lawyers in Nigeria for the research of decided cases by courts of law in Nigeria.

³ Verma, U. (2018, February 26). Israeli AI Software Whips Expert Lawyers in Contract Analysis. <https://clck.ru/3F5BHx>

AI has quite changed the face of the judicial system (Giuffrida et al., 2018; Kioko et al., 2022) by assisting judges to improve judgment accuracy (Wang, 2020; Sanctis, 2021) with speculations that soon robot judges may replace human judges though it remains uncertain how AI will ultimately change the mode of adjudication in courts, the legal profession and even law itself (Cooper, 2011). Interestingly, one of the most recent technological developments in the practice of law is the introduction of robot lawyers to practice law in the United States. Since its introduction, there have been several controversies regarding the legal capacity of robot lawyers to practice law in California. It is pertinent to note that a technological innovation that has recorded huge success in one country is more likely to be embraced and adopted by another country⁴.

It is against this backdrop that this paper seeks to examine the right of robot lawyers to practice law under Nigerian law. This paper will examine the two major laws that regulate the practice of law in Nigeria in a bid to determine the question of whether or not Nigerian law as presently constituted recognizes a robot as a person who can practice law. The operation of robot lawyers in the United States is not part of the focus of this paper though reference may be made to it in passing to buttress any point made in this paper.

1. Artificial Intelligence and the Emergence of Robot Lawyers in the Legal Profession

Artificial Intelligence (AI) has no precise definition. Defining the concept is plagued with a lot of difficulties (Alarie et al., 2018). However, AI is described as the use of technology to automate tasks that normally require human intelligence. It has also been defined as the ability of a digital computer or computer-controlled robot to accomplish actions often associated with intelligent beings⁵. It involves the development of systems that are endowed with the characteristics of human beings in terms of reasoning⁶. AI has to do with the build-up of a technological device to automatically perform complex tasks that human beings can perform as well (Surden, 2019).

AI no doubt involves the development of machine technology to imitate human intelligence, achieving greater efficiency in the performance of tasks hitherto performed by humans (Ilegieuno et al., 2021). It is a computer intelligence that does not use cognitive ability displayed by devices, as opposed to natural cognitive ability expressed in people as well as animals (McCorduck & Cfe, 2004). AI has also been described as the theory and application of systems used to simulate, extend, and expand human intelligence (Xu & Wang, 2019). AI also refers to a computer's ability to imitate human intelligent

⁴ Oluwatobi, O. E. (2023, March 15) Can Robots Practice Law in Nigeria? <https://clck.ru/3F5BNk>

⁵ Copeland, B. J. Artificial Intelligence. Britannica. <https://goo.su/bCjq>

⁶ Ibid.

behavior, especially human cognitive functions, such as the ability to reason, discover meaning, generalize, and learn from experience (Gravett, 2020)

It is becoming highly worrisome that as much as AI brings convenience to people (Dekker et al., 2017), it is also increasingly reducing the number of jobs for humans (Huang & Rust, 2018). This is because machines are designed to perform complex activities as has been established in the digital world over the years (Robinson, 2018) even though it is believed that AI has not succeeded at entirely replacing the need for human expertise in decision-making⁷. Over the years, much has been said about AI. However, until recently, not much has been written on the relevance of AI to the practice of law (Katyal, 2019). The current impact of AI on legal practice and even in the future cannot be over-emphasized. On a macroscopic basis, the emergence of AI and the current trends in its application within the legal profession across the globe are indicative that AI has not only changed the face of the legal industry but will also take the jobs of human lawyers (Hu & Lu, 2019).

Notably speaking, one of the instances that demonstrates how AI threatens the jobs of a lawyer is that parking infractions in York City can now be resolved by violators selecting an automated online dispute settlement system (Hu & Lu, 2019). There are now a lot fewer steps in these processes that need legal specialists' assistance (Hu & Lu, 2019). This trend is fairly evident even with the current artificial intelligence backdrop of poor performance (Hu & Lu, 2019). One of the most impressive motivations for the integration of AI and law is the fact that AI has been described as being capable of assisting in four fields of legal services which are consultation and guidance, file retrieval, data review, and lawsuit prediction (Greenleaf et al., 2018). These, without a doubt, are quite a great relief for lawyers considering the enormity of legal services. The review of the evidence, file review, and the fluidity of human lawyers moving from criminal defense to intelligent defense are noted to be a few of the importance of AI robot lawyers to legal service and the ways human lawyers work (Greenleaf et al., 2018).

The emergence of robot lawyers, a technological innovation that employs the use of AI in the performance of legal practice has again awakened the debates and controversies on the limit to which AI may be employed to perform certain tasks. A robot lawyer is a technological device in the form of a computer program designed to perform the tasks of a lawyer including most other things associated with the practice of law in an automated manner⁸. A robot lawyer is an AI-powered computer that uses Natural Language Processing (NLP) to understand legal questions and generate legally compliant answers. The robot is designed to be able to perform a number of functions such as offering legal advice, creating legal documents, and searching case laws, amongst other things.

⁷ Commerford, B. P., Dennis, S. A., Joe, J. R., & Ulla, J. W. (2021, June 21). Man Versus Machine: Complex Estimates and Auditor Reliance on Artificial Intelligence. <https://goo.su/fo2AVI>

⁸ Nangara, A. (2023, January 10). World's First robot Lawyer to Defend Human in Court. The exchange. <https://clck.ru/3F5BV5>

Furthermore, it is believed that the emergence of robot lawyers in the legal space is inevitable because robot lawyers are notably capable of solving the problem of imbalance in the resources of legal services. Scholars posit that the idea of introducing the combination of AI and the law through the invention of robot judges to eliminate legal uncertainties (D'amato, 1976) has been ongoing since the 1970s (Castell, 2018). However, other scholars postulate that robots should rather assist judges and lawyers and not replace them (McGinnis & Pearce, 2014).

Today, robots are undoubtedly an integral part of our daily lives. They are found as appliances in homes, self-driving cars, security systems, restaurants, and so on. There is no gainsaying that the advent of robots has made life easy generally. However, it is imperative to emphasise that the idea of introducing AI and robot lawyers into the legal profession was originally not to replace humans but to assist in making work easy (Gravett, 2020). Unfortunately, today, the machine designed to make work easy has now been considered to replace humans and take up the legal profession entirely.

In 2015, DoNotPay robot was designed by Joshua Browder as a chatbot designed for legal services. The rationale behind the creation of the robot was to assist by giving legal guidance to poor consumers who cannot afford the legal services of human lawyers in challenging minor infractions such as fines over a parking ticket, small contractual claims, etc.⁹ Originally, DoNotPay was created by Joshua Browder to solve his problem¹⁰. The Idea of a robot lawyer came from the experience of Joshua Browder while he was studying at Stanford. He was repeatedly booked with parking tickets for failing to feed his meter¹¹. Owing to a suggestion from a friend, he challenged the bookings in order to reduce them by writing a letter, and the fine was reduced¹². At this juncture, it occurred to him how many persons must have suffered the fate of being fined with parking tickets but being unable to reduce it either because there is no time or lack of financial resources to procure a lawyer. To this end, he offered to proffer a solution that birthed the world's first robot lawyer¹³.

2. Legal Framework of Legal Practice in Nigeria

The legal profession has been adjudged one of the most respected and loved professions by which professionals in this field are reposed some level of trust and confidence by society¹⁴. In Nigerian society, the legal profession holds a key position. In addition to

⁹ Alumni, M. (2021, April 21). Machine Learning: The World's First Robot Lawyer. Digital Innovation and Transformation. <https://clck.ru/3F5BY2>

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Yusuf, A. (2015, November 26). The Future of Legal Practice in Nigeria: Regulation and Discipline in the Legal Profession. Paper Presented at the 8th Annual Business Luncheon of S.P.A. Ajibade & Co. <https://clck.ru/3F5BYm>

fulfilling the conventional duty of defending individual rights in court, solicitors actively participate in the development of legal organizations and ideas that support development (Oko, 1994; Oguanmanam & Pue, 2006). Legal services have a significant impact on and shape almost all social, economic, and political structures of the nation. Lawyers are increasingly essential to the proper operation of Nigerian society (Oko, 1994). They serve as the foundation for the nation's hopes for social and economic advancement (Shaeab et al., 2023).

While it is beyond doubt that litigation is the cornerstone of legal practice, the evolving societal challenges in the contemporary world are fast expanding the role of lawyers in society beyond litigation¹⁵. In the decided case of *Anozia v. AG Lagos State*¹⁶, the court ruled about the obligations of solicitors: "It is trite, that a legal practitioner has an onerous duty to uphold and observe the rule of law, promote and foster the cause of justice, maintain a high standard of professional conduct, and thus shall not engage in any conduct which is unbecoming of a member of the honorable and highly prestigious legal profession"¹⁷.

The Black's Law Dictionary (Garner, 2004) defines the practice of law as the professional work of a duly licensed lawyer, encompassing a broad range of services such as conducting cases in courts, preparing papers necessary to bring about various transactions from conveying land to effecting mergers, preparing legal opinions on various points of law, drafting wills and other estate planning documents and advising clients on legal questions. The term also includes activities that comparatively few lawyers engage in but require legal expertise, such as drafting legislation and court rules.

The definition of legal practice above indicates that a person rendering such services must be a 'licensed lawyer'. It becomes sacrosanct at this juncture to examine the laws that regulates the practice of law in Nigeria. The Supreme Court Ordinance of 1876 was pivotal to the legal profession in Nigeria because it was the first statute to regulate the practice of law in the country. The Ordinance recognised two categories of persons to practice law in the country. According to Section 76, the first category was a person trained as either a barrister or solicitor in the United Kingdom due to the absence of a legal training institution in the country (Orojo, 1979). The second category however is the person who lacked formal legal training but by virtue of their exposure and experience had acquired legal knowledge and skills. These persons were referred to as 'local attorneys (Adegoke et al., 2014).

The insufficiency of qualified legal practitioners in the colony fortified the need for the Chief Justice to exercise its discretion in the recognition of the second category¹⁸.

¹⁵ Chinaka, C. (2022, September 14). What Constitutes Legal Practice in Nigeria? The Sun. <https://clck.ru/3F5BaT>

¹⁶ *Anozia v AG Lagos State*. (2010). <https://goo.su/ZZ396T1>

¹⁷ Ibid.

¹⁸ Section 74 of the Supreme Court Ordinance of 1876.

However, the local attorneys were first subjected to examination to test the knowledge of the applicants on the new laws of England and the Colony¹⁹. Where the Chief Justice grants a license in these circumstances, such persons are enrolled to practice law for six months which is renewable for another six months. Unfortunately, protests from qualified lawyers against the grant of licenses to local attorneys to practice law occasioned the discontinuance of such practice. Hence, the Chief Justice stopped the issuance of licenses to unqualified persons or local attorneys in 1908 though the ones whose licenses had not expired continued to use it until expiration (Okoye, 2015).

The Supreme Court Ordinance of 1943 was promulgated to replace the Supreme Court Ordinance of 1876. Consequently, the Supreme Court (Civil Procedure) Rules of 1945 which was made pursuant to the Supreme Court Ordinance of 1943 set a new requirement for the practice of law in Nigeria²⁰. Regarding the qualification for the practice of law in Nigeria, Order 16 Rule 1 of the Supreme Court (Civil Procedure) Rules 1945 provided that:

"The Chief Justice may in his discretion approve, admit, and enroll to practice as a barrister and solicitor in court:

- a) Any person who is entitled to practice as a barrister in England or in Ireland or as an advocate in Scotland; and who
- b) Produces testimonials sufficient to satisfy the Chief Justice that he is a man of good character; and
- c) Has read in the chambers of a practicing barrister or advocate of more than five years standing for at least one year, or has practiced in the courts of the country in which he has been called or admitted for at least two years subsequent to his call or admission, or
- d) Has subsequent to his call to the bar or admission as an advocate read in Nigeria in the chambers of a practising barrister of more than ten year's standing for at least two years or
- e) Has practiced as a barrister or solicitor in the courts of British Colony or Protectorate for at least two years..."²¹

The above requirements for the practice of law in Nigeria impacted negatively on the efficiency of the lawyers to practice in Nigeria considering that the training acquired in England was insufficient to meet the peculiarity of the Nigerian people (Adegoke et al., 2014). Hence, a need for the overhauling of the Nigerian Legal profession. In order to address these challenges, the Unsworth Committee of 1959 which was set up to look at these challenges made some recommendations that birthed the promulgation of the Legal Education Act of 1962 and the Legal Practitioners Act of 1962 respectively (Adegoke et al., 2014).

The enactment of the Legal Education Act of 1962 and the Legal Practitioners Act of 1962 led to the establishment of the Nigerian Law School in 1962 to provide training for aspirants in the legal profession. It became a requirement that persons who desired

¹⁹ Order 8 Rules 1-4 of the Supreme Court (Civil Procedure) Rules 1876.

²⁰ Ibid.

²¹ Ibid.

to practice law in Nigeria must first obtain a law degree in any recognised university in Nigeria or abroad before physically attending the Nigerian Law School (Okoye, 2015). In Nigeria, obtaining a law degree for direct entrants is for a duration of four years while five years is for students admitted directly through the Joint Admissions Matriculations Board (JAMB). The Legal Education Act and the Legal Practitioners Act of 1962 changed the face of the Nigerian legal profession and the system of legal education by setting new requirements and qualifications for the practice of law (Adegoke et al., 2014).

The Legal Education Act of 1962 with its attendant amendments²² is the extant law on legal education in Nigeria. The law is presently known as the Legal Education (Consolidation etc) Act²³. The Legal Practitioners Act of 1975²⁴ which replaced the Legal Practitioners Act of 1962 also determines who can practice law in Nigeria as well as the conditions to be fulfilled before anyone can practice law in Nigeria. Section 24 of the Legal Practitioners Act defines a legal practitioner as – ‘A person entitled in accordance with provisions of the Act to practice as barrister or as barrister and a solicitor, either generally or for the purpose of any particular office or proceedings’²⁵.

2.1. Qualification for the Practice of Law in Nigeria

As earlier discussed, legal practice is statutorily regulated in Nigeria by both the Legal Education (Consolidation etc) Act and the Legal Practitioners Act. According to Section 2 (1) of the Legal Practitioners Act, two categories of persons are legally allowed to practice law whether as solicitors or barristers in Nigeria. The categories are:

1. A person whose name appears in the roll of legal practitioners kept by the Registrar of the Supreme Court of Nigeria. A person in this category must have obtained a law degree in a recognised university in Nigeria or abroad, attended or exempted from attending the Nigerian Law School, issued with the qualifying certificate by the Council of Legal Education, called to the Nigerian Bar, issued the Call to Bar certificate by the Body of Benchers and his name subsequently enrolled in the register of legal practitioners kept by the Registrar of the Supreme Court of Nigeria (Okoye, 2015). This position was affirmed by the court in the case of Mobil Oil Nigeria Plc v Yusuf²⁶.

2. A person whom in the opinion of the Chief Justice is expedient to be permitted to practice as a barrister for the purposes of proceedings described in the application, the Chief Justice may by warrant under his hand authorise that person, on payment to the registrar of such fee not exceeding fifty nairas as may be specified in the warrant, to practice as a barrister for the purposes of those proceedings and of any appeal brought in connection with those proceedings.

²² The Act underwent a number of amendments in 1963, 1966, 1967, 1970, 1973, 1974, 1976, 1977, and 1985.

²³ Cap. L10, Laws of the Federation of Nigeria, 2010.

²⁴ Cap 207 Laws of Federation of Nigeria 1990 now Cap L11 Laws of Federation of Nigeria 2004.

²⁵ Ibid.

²⁶ Mobil Oil Nigeria PLC v Yusuf (2012). <https://clck.ru/3FACRw>

In Nigeria, a Call to Bar is a certification that a person is qualified and licensed to practice law. Any person whether a citizen of Nigeria²⁷ or a non-citizen²⁸ of Nigeria is entitled to be called to the Nigerian Bar provided such person meets the criteria for Call to Bar which include the following:

- 1) If he produces a qualifying certificate to the Body of Benchers or a certificate of exemption from attending Law School;
- 2) If he satisfies the Body of Benchers that he is of good character;
- 3) If he pays the Call fee as may be prescribed by the Body of Benchers²⁹;
- 4) If he also kept three dining terms as stipulated by the Body of Benchers³⁰.

2.2. Qualification of Robot Lawyer to Practice Law in Nigeria

The community reading of the copious provisions of the Legal Education Act and Legal Practitioners Act which are the two major enactments regulating the practice of law in Nigeria show that a robot is not contemplated as a 'person' who can practice law in Nigeria. The historical background of the Nigerian legal profession and the various legislations discussed show that a natural human being was contemplated by the laws as a person who can be licensed to practice law in Nigeria³¹. A critical examination of the criteria for Call to Bar in Nigeria as specified by Section 4 of the Legal Practitioners Act can only be met by natural human beings. A robot cannot meet the requirements.

Furthermore, the provisions of the Legal Practitioners Act and Legal Education (Consolidation etc) Act emphasized that only a 'person' can be licensed to practice law in Nigeria. At present, AI does not possess the same qualities as human beings that are generally considered necessary for personhood in law. These include consciousness, emotions, and the ability to communicate in a way that is similar to human language. As a result, most legal systems do not recognize AI as persons.

Under the Nigerian legal system, the Supreme Court in a plethora of cases have stated that a person is either natural or artificial (such as a corporate body)³². A robot does not qualify as a natural person or an artificial person under the Nigerian legal system. However, even if a robot were an artificial person, the Legal Practitioners Act and Legal

²⁷ Section 4(1)(a) of the Legal Practitioners Act.

²⁸ Ibid Section 4(2)(a); Section 1 of the Legal Practitioners (Amendment) Decree No. 1 of 1992.

²⁹ Section 4 of the Legal Practitioners Act.

³⁰ Section 18(4) of the Body of Benchers Regulations cited in Obi Okoye (n 47) 15.

³¹ Atoyebi, O. M. (2023, January 24). A Legal Perspective of the Robot Lawyer under the Nigerian Legal System. <https://goo.su/QMZoz>

³² The Administrator of the Estate of General Sani Abacha v Eke Spiff. (2009). 7 NWLR (Pt. 1139) 97 at P. 136 Para. E; Fawehinmi v Nigerian Bar Association (No. 2). (1989). 2 NWLR (Pt. 105) 558 at 595; Access Bank Plc v Agege Local Government & Anor. (2016). NGCA 35.

Education (Consolidation etc) Act do not contemplate an artificial person as a person who can practice law in Nigeria. The mandatory legal requirements of holding a law degree in any recognised university in Nigeria or abroad, obtaining a qualifying certificate from the Council of Legal Education after successful completion of the law school and the to be worthy in character are all pointers to the conclusion that a natural person was contemplated by these laws.

The concern that unless AI is clothed with the garment of personhood and barred under the legal regime of the jurisdiction concerned it would not be recognised as a person capable to practice law occasioned a growing interest in exploring the possibility of granting personhood to AI. As AI technology continues to develop and become more advanced, some argue that if AI were able to develop certain characteristics that are similar to those of human beings, such as self-awareness, decision-making abilities, and emotions, then they may be deserving of the same legal status as humans.

One argument in favor of granting personhood to AI is that it could potentially lead to increased access to legal services (Bryson, 2020). AI could be programmed to perform a range of legal tasks, such as conducting legal research, drafting documents, and even representing clients in court. This could potentially make legal services more affordable and accessible to a wider range of people. Furthermore, another argument in favor of granting personhood to AI is that it could lead to more objective and consistent legal decision-making. AI is not subject to the same biases and prejudices that can affect human decision-making, and could potentially analyze legal data and make decisions in a more objective and fair manner.

However, there are also concerns about the potential implications of granting personhood to AI. For example, if AI were to be given the same legal status as humans, they may also be subject to legal liability and responsibility for their actions (Bhattacharya, 2021). This raises questions about who would be responsible if an AI system were to make an error that resulted in harm or damage to a client. There are also concerns about the ethical implications of allowing AI to practice law. Learning machines and AI generally lack the ability to empathize with clients and understand the nuances of human emotion and behaviour. This could potentially lead to machines providing inadequate legal advice or making decisions that are not in the best interest of their clients.

While there are potential benefits to allowing AI to perform legal tasks³³, there are concerns about the potential implications for legal liability and ethical decision-making. Ultimately, any decision about granting personhood to AI will need to be made with

³³ Parnham, R., Sako, M., & Armour, J. (2021, December) AI-assisted lawtech: its impact on law firms. Oxford: University of Oxford. <https://goo.su/zfB2Au>

careful consideration of these issues and a focus on the best interests of clients, the legal profession, and society as a whole (Gunkel & Wales, 2021). In conclusion, the question of whether AI can be conferred with the status of personhood, and allowed to practice law, is a complex one that raises a number of legal and ethical issues. However, as it is, Nigerian law does not allow for non-legal persons to practice law in Nigeria.

Conclusion

This paper has demonstrated that the globalization and advancement of technology have impacted greatly the legal practice globally including in Nigeria. Technology especially AI has positively enhanced legal practice. However, the two major legislations that regulate lawyering and legal practice generally do not contemplate a robot as a person who can practice law in Nigeria. A robot is not a natural person conferred with the right to practice law upon fulfillment of the qualifying requirements. The right of a robot to practice law in Nigeria is dependent on the amendment of both the Legal Education (Consolidation) Act and the Legal Practitioners Act to confer such right on an artificial person such as a robot. The relevant provisions of both legislations on the requirement for qualification to practice law may be reviewed in order to accommodate robots especially humanoid robots. Humanoid robots are known to have human likenesses and expressiveness.

Sophia, the first humanoid robot comes to mind. She is a highly intelligent human she owns a credit card and was conferred full citizenship of Saudi Arabia by the Saudi Arabian government³⁴. Sophia, developed by a Hong-Kong-based company Hanson Robotics is noted to be the first robot to own her own passport and can imitate 62 human expressions³⁵. She is regarded as the world's first robot Innovation Ambassador for the United Nations Development Programme³⁶. Finally, AI has come to stay. The importance of AI to legal practice cannot be overemphasized. However, while AI may be adopted for legal research, drafting of legal documents, and so on, the grant of licenses to robots for legal practice endangers the human species.

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³⁴ Should Robots be Citizens? British Council. <https://clck.ru/3FABkD>

³⁵ Ibid.

³⁶ Sophia. Hanson robotics. <https://clck.ru/3FABmg>

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Oluwaseye O. Ikubanni conceived the topic idea, researched on every aspect of the research, and distributed the research sub-topics amongst the co-contributors. Finally, he harmonized the outcome of the research of all the contributors.

Aderemi O. Oyeibanji actively participated to the research by working the different aspect of the research and also ensuring the grammatical correctness of the whole research. He read the entire work and edited same to ensure that there are no grammatical errors.

Alade A. Oyejade also researched on certain aspect of the research. Also, he was fully in charge of compliance with APA referencing style

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Юридические аспекты наделения искусственного интеллекта субъектностью: перспективы использования роботов в юридической практике в Нигерии

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Ключевые слова

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правосудие,
робот-юрист,
цифровые технологии,
юридическая практика,
юридическое образование

Аннотация

Цель: определить потенциал и допустимость применения искусственного интеллекта в юридической деятельности по праву Нигерии.

Методы: в основу исследования положены метод научного анализа, а также формально-юридический, сравнительно-правовой, историко-правовой и системно-функциональный методы. Круг исследования представлен нормами законодательства, включая утратившие силу нормативные правовые акты, а также научной монографической и периодической литературой.

Результаты: было установлено, что искусственный интеллект и роботы-юристы являются неизбежными инновациями юридической практики многих стран, включая Нигерию. Применение указанных цифровых технологий доказало свою высокую эффективность в деятельности, связанной с отправлением правосудия, оказывая содействие в четырех областях юридических услуг: консультировании и руководстве, поиске материалов, анализе данных и прогнозировании результатов судебного процесса. Технологии значительно облегчают труд юристов, учитывая масштабы юридических услуг. Кроме того, было установлено, что, хотя применение искусственного интеллекта в целом может быть признано оправданным, привлечение

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роботов-юристов к юридической практике в Нигерии сталкивается как с юридическими, так и с этическими барьерами. Законы о юридическом образовании и юридической практике, действующие в этой стране, не признают роботов-юристов лицами, имеющими лицензию на юридическую практику в Нигерии. Юристы-роботы должны быть наделены статусом личности, прежде чем они смогут полностью реализовать свой потенциал в правореализационной практике Нигерии.

Научная новизна: обусловлена прежде всего постановкой исследовательской задачи по определению возможности выступления робота в качестве практикующего юриста в рамках правовой базы юридической практики в Нигерии.

Практическая значимость: сформулированные в работе выводы о неизбежности использования искусственного интеллекта и роботов-юристов в юридической практике, а также о текущем состоянии законов, регулирующих юридическую практику в Нигерии, будут полезны при рассмотрении вопроса о внесении поправок в законодательство для его адаптации к современному уровню развития цифровых технологий.

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