

AN ADDRESS PRESENTED BY ELDER C.A.N
NWOKEUKWU SAN ON BEHALF OF THE YEAR 2017
SENIOR ADVOCATES OF NIGERIA, TODAY MONDAY
THE 18TH DAY OF SEPTEMBER, 2017

1. MY LORD, THE HONOURABLE CHIEF JUSTICE OF NIGERIA WALTER NKANU ONNOGHEN GCON.
 2. MY LORDS, JUSTICES OF THE SUPREME COURT OF NIGERIA.
 3. MY LORD, THE PRESIDENT OF THE COURT OF APPEAL
 4. MY LORDS, HONOURABLE JUSTICES OF THE COURT OF APPEAL
 5. MY LORDS, THE HEADS OF COURTS AND HONOURABLE JUDGES OF ALL OTHER SUPERIOR COURTS OF RECORD
 6. YOUR EXCELLENCIES, GOVERNORS OF VARIOUS STATES HERE PRESENT
 7. THE HONOURABLE ATTORNEY GENERAL OF THE FEDERATION AND MINISTER OF JUSTICE
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- 8. DISTINGUISHED MEMBERS OF BODY OF BENCHERS**
 - 9. MOST HONOURABLE MEMBERS OF THE LEGAL PRACTITIONERS PRIVILEGES COMMITTEE**
 - 10. THE AMIABLE PRESIDENT OF THE NIGERIA BAR ASSOCIATION**
 - 11. BODY OF SENIOR ADVOCATES OF NIGERIA AND ALL OTHER DISTINGUISHED MEMBERS OF THE LEARNED PROFESSION.**
 - 12. TRADITIONAL AND RELIGIOUS LEADERS HERE PRESENT**
 - 13. MEMBERS OF THE PRESS**
 - 14 DISTINGUISHED LADIES AND GENTLEMEN**
 - 15. ALL OTHER PROTOCOLS DULY OBSERVED.**
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MY LORDS,

History was made in this country today, when a few minutes ago, My Lord the Chief Justice of Nigeria, administered the Oath on the **TWENTY-NINE NEW SENIOR ADVOCATES OF NIGERIA**, including me. On behalf of my privileged colleagues, may I humbly say that ALL Thanks, Glory and Adoration, be unto God Almighty, whose special Grace made this to happen. Truly, for us, this is a special Day, He, the Lord has made, it is marvelous in our eyes and we are rejoicing in it. Today is a confirmation of the saying that God's Time is the Best.

For me as a person, it will again go down in history and I consider it a great honour and special privilege, to be invited by My Lord, the Chief Justice of Nigeria, with support and approval of his Brother Justices of the Supreme Court, to present this address and vote of thanks, on behalf of the other 28 New Senior Advocate of Nigeria.

As we thank My Lord the Chief Justice of Nigeria, for accepting the recommendations of the Distinguished Members of the Legal Practitioners Privileges Committee, that my Learned Brothers and I, be elevated to the very prestigious, cherished and enviable rank of Senior Advocates of Nigeria, we should also remember and thank the Human Agents, through whom God has worked, to crown our efforts in this regard, with success today.

Principal amongst them are our Judges and Justices of ALL the Superior Courts of Record, before whom we appeared and argued our way to victory, in the pursuit to be so decorated and so celebrated today. They, together with our colleagues at the Bar, Learned Advocates and worthy Adversaries in court, who gave us the invaluable lifting hands, without which our labour would have surely been in vain; how can we thank you gentlemen enough, but we will simply say: **GOD BLESS YOU.**

Ladies and gentlemen, when I remember these Judges, my mind quickly runs back to our Court halls, our Judge's Chambers in our various States and the fact that up till this moment of our station in life, as an independent Nation, that these Judges and Justices of our Superior Courts of Record, still record our daily proceedings in our courts, in long hands and in most jurisdictions of our courts, under very scorching heat, occasioned by what is today called the climate change. In some cases, when it rains, these judges take their flight because of flooded environment and leaking roofs. I have been wondering why this change in our climate condition, will not change the position of infrastructure and the total conditions of service in the entire judicial system in Nigeria. The situation in some of these courts across Nigeria, do not meet up with the minimum standard that obtains in even some less developed countries of the world. Do we not think that these poor conditions, if allowed to persist, may one day affect or erode the confidence of the society in the system? I hope not. There is no gain saying the fact

that better funding of the judiciary in this country, will surely guarantee better justice delivery system to the entire citizenry. Lack of funds or insufficiency of funds, we now know, can no longer be an excuse for not adequately funding the judiciary in Nigeria. The time, in my humble opinion, has come for the judiciary to resist this Executive's annual defence or chorus of "lack of funds", whenever it concerns issues touching on the judicial arm of government. After all, it is now a matter of common knowledge even to the DEAF, that the value of only one abandoned building in a Banana Island, can adequately provide the entire infrastructure needed to place the Nigerian Judiciary on the same pedestal, with those of other leading and developed Nations of the world.

Who even said there are no such other buildings, in maybe, 'Plantain', 'Mango' or even 'Sugarcane' Islands, in other parts of the world, waiting to be abandoned soon?

It cannot be over emphasized that the three known independent Arms of Government, are all subject to the Rule of Law and the Rule of Law is said to be the foundation of every civilised society. The Rule of Law establishes a transparent process, accessible and equal to all. The Rule of Law ensures adherence to principles that both liberate and protect. In 1959, an International gathering of over 185 Judges, Lawyers, and Law Professors from 53 Countries, meeting in New Delhi India and speaking as the International Commission of Jurists, made a Declaration as to the fundamental principles of the

Rule of Law. This was the Declaration of Delhi. This Commission of Jurists declared that the Rule of Law implies guaranteed Rights and Freedom. **The Rule of Law implies an independent judiciary**, and that it implies social, economic and cultural conditions conducive to human dignity. The Council of the International Bar Association therefore passed a Resolution in 2009, endorsing a substantive or "thick" definition of the Rule of Law: as "An **Independent and Impartial Judiciary**; the presumption of innocence; the right to a fair and public trial without undue delay; a rational and proportionate approach to punishment; **a strong and independent legal profession**; *et cetera*. The IBA then called upon all Countries to respect these fundamental principles. It also called upon its members to speak out in support of the Rule of Law, within their respective communities. These principles, my Lords, we pledge to support and propagate at anytime, as Senior Advocates of Nigeria.

My Lord the Chief Justice of Nigeria and your Brother Justices, from the foregoing, I am therefore of the opinion that, the days are gone when it was fashionable or the Norm to say that the Legal Profession, including the Judiciary, is a conservative profession. Such a legal profession, still seen till today, as fully conservative, I submit, will be a weak one. The Judiciary particularly, should now see itself as neither fully conservative, nor fully digitalized. It should rather assume a middle position, aimed at getting for itself, what it truly or rightly deserves.

This is to enable it perform optimally, the functions for which it was created under the 1999 Constitution of Nigeria, as a **SEPARATE** and an **INDEPENDENT** arm of government. History and Records have shown that the other two Arms of Government now assume this near radical posture, to get for themselves what they think they deserve, but when each gets into some form of trouble or not too pleasant a situation, they both rush to the Judiciary for rescue and for safety. And once the one is rescued by the Judicial Arm of Government, Judiciary ceases to exist in the one's consciousness. This situation cannot be said to represent a country governed by Rule of Law. Time to emphasize this and proffer a solution is now.

My Lord, in my honest opinion, there may be no better time to **STRENGTHEN** and **SOLIDIFY** this Institution called the Judiciary than now, that the National Assembly is on the rare journey of amending our Constitution. That moment is here, for it to be finally and copiously placed on permanent Record and in an unambiguous language, that the Judicial Arm of Government, being an Independent Arm, should be truly **INDEPENDENT** and **AUTONOMOUS**. That moment is here when it should be placed on permanent Record, that the funds of the Judiciary, should undoubtedly and unquestionably, be a first line charge on the Consolidated Revenue of the Federal Republic of Nigeria. The effect therefore, as we all know, will be that the Judiciary, will now be in a position to take absolute care of itself, including taking steps and addressing those lapses still clogging the wheel of

progress. The Judiciary will then be better than ever, in a position to play her Constitutional role of delivering justice to all manner of persons, without fear or favour, affection or ill will and will then be, truly seen by the general public, as the last hope of the common man. **LET US NOW, RIGHT THE WRONGS OF THE PAST.** Thank God, the Judiciary is today headed by a Time Tested Man of Honour, Courage and Integrity, **HON. JUSTICE WALTER ONNOGHEN, GCON**, who, with the support and encouragement of his Brother Justices of the Supreme Court, has what it takes to lead the Judiciary to that Promised Land. Democracy without a strong, virile and courageous judiciary, will only last for a while, and the Society will be the worse for it, in the end. My Lords, this is our chance.

My Lords, in addition to the Oath we took before you this morning, we further promise to live up to the expectations of all men and women, who are gathered here today to witness this great occasion and indeed the expectations of all Nigerians.

As Senior Advocates of Nigeria, we shall continue to be Leaders at the Bar and Mentors to our junior colleagues, who are coming behind us.

We shall continue to be subject to the Rule of Law, speak for and defend the Bench, at all times.

We shall, in accordance with the Law defend the cause of Justice.

We shall continue to show respect, not only to ourselves but to our colleagues, and above all to God Almighty who gave us both life and this revered position, as Senior Advocates of Nigeria.

My Lords, we make bold to make these solemn declarations, because we are mindful of the fact that before we were selected to stand before you today, we were tested, we were examined and we were evaluated rigorously and found to be men and women, fit and proper to be elevated to the tasking Rank of Senior Advocates of Nigeria. This is a testimony to the fact that since we were called to the Bar or invested as men and women fit and proper to be legal practitioners, we have kept the Faith and we have passed the test for diligence, learning, expertise, morality, honour and character. We therefore cannot afford to fail at this point, My Lord, believe me.

My Lord, the Chief Justice of Nigeria, I have the mandate of my Learned Brothers Silk, the new Silks, to specially congratulate you on your well-deserved appointment and confirmation as the Chief Justice of Nigeria, and again to congratulate you on your safe delivery of your first set of Senior Advocates of Nigeria, since becoming the Chief Justice of Nigeria.

My Lord, the Chief Justice of Nigeria, Let me at this Juncture, make a personal confession. When your Lordship's name was in compliance with SECTION 231 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), submitted to the Senate for confirmation as Chief Justice of Nigeria, I joined millions of other Nigerians, in praying for you.

Infact, I personally prayed and fasted for three consecutive days. On the third and final day of this Spiritual exercise, it occurred to me to amend my prayer points to then accommodate my own personal problem, being the most auspicious time to do so, knowing what I had gone through with my repeated applications to be elevated to the Rank of Senior Advocate of Nigerian. I then called upon God and said thus: "**OH GOD**, see your son WALTER, an Erudite Scholar, a Good man, an honest man, a Courageous Jurist, eminently qualified to be the Chief Justice of Nigeria. Father, also see me, another good man, who is also eminently qualified to be a Senior Advocate of Nigerian, I have been severally HIT in the past by the constant change in the Rules.

You are the God that searcheth the Heart, please God search his Heart and confirm that I will be made a Senior Advocate of Nigerian, this year and under his watch, if so, then hear our prayers AND CONFIRM HIM, **BUT IF NOT....."**

My Lord, Today, you are the **CONFIRMED** Chief Justice of Nigeria, and I, a Confirmed Senior Advocate of Nigeria.

These establish the fact that we both have a prayer answering God, I therefore declare, on behalf of my Learned Colleagues, that your Tenure and Service as the Chief Justice of Nigeria shall be peaceful, purposeful and fruitful. As the Chief Justice of Nigeria, you will introduce positive changes to the Judiciary that will **EMPOWER** you to also leave positive and indelible marks, on the Sands of Time.

At the end of your Tenure as Chief Justice of Nigeria, Men and Women of Goodwill will stand up and say to the world, that a great man was here and so shall it be, Amen.

Finally, My Lord and with **ALL** due respect I have been asked by my Learned Brothers Silk, to use you at this point, as a point of contact, to REACH and APPRECIATE everybody who played one role or the other in assisting us to attain this enviable height today. These include:-

1. ALL THE JUSTICES AND JUDGES OF ALL OUR COURTS IN NIGERIA;
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2. HONOURABLE AND DISTINGUISHED MEMBERS OF THE LEGAL PRACTITIONERS PRIVILEGES COMMITTEE AND ALL THE STAFF OF THAT DEPARTMENT;
3. OUR ELDER BROTHERS SILK AND ALL MEMBERS OF THE ONLY LEARNED AND HONOURABLE PROFESSION;
4. OUR SPOUSES, OUR PARENTS AND ALL THE MEMBERS OF OUR FAMILIES;
5. ALL THE REGISTRARS AND ALL THE OTHER OFFICERS OF ALL OUR COURTS;
6. OUR CLIENTS, OUR FRIENDS, AND OUR WELL WISHERS;
7. ALL THE LAWYERS, SECRETARIES AND ALL OTHER SUPPORT STAFF IN OUR VARIOUS CHAMBERS;
8. ALL THE PERSONS WE MET ON OUR WAY TO THIS POSITION;
9. OUR PASTORS, OUR REVEREND GENTLEMEN, OUR IMAMS, OUR SHEIKS AND ALL OUR PRAYER PARTNERS.
10. ALL YOU LADIES AND GENTLEMEN WHO WITNESSED THIS GREAT CEREMONY TODAY, FOR ALL YOUR SUPPORT AND ENCOURAGEMENT;
11. AND ABOVE ALL, TO GOD ALMIGHTY, WHO PRESERVED OUR LIVES AND MADE TODAY, A REALITY.

WE PRAY GOD ALMIGHTY TO BLESS YOU AND PROSPER YOU ALL AS WE WISH YOU JOURNEY MERCIES BACK HOME. THANK YOU VERY MUCH

MAY IT PLEASE MY LORDS!



C.A.N. NWOKEUKWU ESQ SAN.,

**(FOR & ON BEHALF OF THE 2017 CLASS OF SENIOR
ADVOCATES OF NIGERIA)**