

Check for
Updates**EFFICACY OF LEARNING THE LAW IN A DIGITALISED WORLD
EMPLOYING NIGERIAN NUC-CCMAS METHODOLOGY: A LEGAL
EVALUATION****ESTHER INKO ABILI^{1*}, CHIDI EBENEZER HALLIDAY² OMONIYI BUKOLA AKINOLA³**

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ABSTRACT

This paper examined the efficacy of learning the law in a digitalised world employing the Nigerian NUC-CCMAS methodology. The emergence of digital technologies has impacted significantly on global socio-economic development. The fact that the world is described as a ‘global village’ underscores the importance of countries in the spectrum to step up to the surging demand for digitalisation. The paper employed the doctrinal research approach in examining the relevant legal framework for digitalisation, *to wit*, National Information Technology Development Agency Act 2007, National Universities Commission Act 1974, and Education (National Minimum Standards and Establishment of Institutions) Act 1985. The paper found that the regulatory agency, NITDA, in keeping with its powers to create a National Digital Literacy Framework, recorded success and further embarked on a project of achieving 95% of digital literacy by 2030. Whether or not this vision is achievable remains to be seen. The paper also highlighted the mandate of the NUC—to ensure proper quality control of all academic programmes within the Nigerian University System, which it implemented through different working instruments, the extant being the CCMAS document. Regrettably, tertiary institutions in Nigeria have been moving at snail speed in meeting up with the labour market’s increasing demands for digitalisation. The paper recommended that the Federal and State Governments provide well-organised support grants to students in tertiary institutions for acquisition of electronic learning devices. Universities’ Management should likewise ensure a transition to digital learning through constant power supply and the provision of projectors in all lecture halls.

Keywords: Law, Digital Law, Digital Citizenship, Information Technology (IT), Digital Literacy, Digital Competence/IT Skills

1.0 Introduction

The emergence of digital technologies has made significant impact on the socio-economic development of the world, at large. The fact that the world is described as a ‘global village’ underscores the importance of individual countries in the spectrum to step up to the surging demand for digitalisation. This will assure that they find relevance in the global labour market, which is steadily moving away from anachronistic methods of doing business, creating newer professions, and equally modifying existing ones by requiring the application of information technology in their day-to-day job assignments. It is also a fact that most professions are light years behind and suffering drawbacks due to failure to keep pace with digital/IT skills. Along this line of reasoning, the legal profession is not exempted from expediting a much-needed transformation.

Furthermore, it is no embellishment that formal education in tertiary institutions in Nigeria has been moving at snail speed in meeting up with modern workplace/labour market’s increasing demands for digitalisation. The rising call for learning the law and acquiring legal skills in a fast-paced digitalised society leaves much to be desired in the extant traditional method of impacting legal education. Thus, there is an urgent need for law students to acquire certain digital skills to be able to apply digital technologies in both the learning process and when they eventually qualify as legal practitioners. Equipping learning students this way is in tandem with best global practices and place such digital literate professionals in automated state to take on opportunities as they open up locally and internationally, thereby creating diversification of Nigeria economy, reduce unemployment, and enable labour productivity as well as mobility. The overall output will be improved investment prospects, with the transformation of Nigeria into a top technology-driven country fortified with the requisite resources for problem-solving and critical thinking.

1.1 Definition of Key Concepts

Law is a tool for social engineering. By that is meant, the application of policies derived from findings of social science, to resolve societal problems. Law has been defined to include ‘any enactment, ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or in any part of the acquired territory.’ Furthermore, Law is ‘a body of rules of conduct of binding legal force and effect, prescribed, recognised, and enforced by controlling authority.’

Comparably, Digital Law covers the guiding principles and rules digital citizens – students, inclusive - are required to abide by when utilising digital databases and resources. Digital ethics are crucial to the formation of responsible online behaviours by all internet users. Digital Citizenship refers to the capacity to use databanks or resources found in the internet in a responsible manner. Digital citizens are thus equipped with the right tools to interface with the digital world in such manner that promotes healthy online communities, devoid of cyberbullying, hate speech, inordinate downloads, and/or disrespect of digital property.

Information Technology is the proficient use of computer systems, whether hardware or software, to create, process, store, retrieve, and exchange various species of data and information.

Digital Literacy signifies elementary knowledge, skills, and attitudes that an individual must possess to skillfully use digital technologies in a competent, safe, and appropriate manner. On the other hand, Digital Competence/IT Skills is the ability to deploy and utilise appropriate digital tools and technologies to achieve specific results in businesses ranging from small to large establishments across a variety of sectors.

The Recommendation of the European Parliament and of the Council of 18 December 2006, which bordered on salient capabilities for lifelong learning, furnished the following definition:

Digital Competence involves the confident and critical use of Information Society Technology (IST) for work, leisure and communication. It is underpinned by basic skills in ICT: the use of computers to retrieve, assess, store, produce, present and exchange information, and to communicate and participate in collaborative networks via the Internet.

Digital literacy is very pivotal to modern human existence, as it enables individuals with the requisite capacity to navigate the digital world effectively.

2.0 Legal and Institutional Frameworks for Digital Literacy in Nigeria

Findings from the 2021 World Bank Development Report reveal that over 50% of Nigeria's over 200 million population do not possess digital skills. As such, they are most incapable of using data services. This fact underscores the need for digital education. In meeting with the need for digital education, the National Information Technology Development Agency Act 2007 (NITDA Act 2007), was enacted by the National Assembly. Pursuant to section 1 of the NITDA Act 2007, a body known as National Information Technology Development Agency (NITDA) was established to give effect to the provisions of the NITDA Act 2007.

Section 6 (a), (l), & (m) of NITDA Act 2007 provides as follows:

- (a) Create a frame work for the planning, research, development, standardization, application, coordination, monitoring, evaluation and regulation of Information Technology practices, activities and systems in Nigeria...providing universal access for Information Technology and systems penetration including rural, urban and under-served areas;
- (l) Advice the Government on ways of promoting the development of information technology in Nigeria including introducing appropriate information technology legislation, to enhance national security and vibrancy of the industry;
- (m) Accelerate internet and intranet penetration in Nigeria and promote sound Internet Governance by giving effect to the Second Schedule of this Act.

Consequently, in keeping with their powers to create a National Digital Literacy Framework (NDLF), the NITDA in collaboration with its parent body—the Federal Ministry of Communication and Digital Economy—have created same and further embarked on the project of achieving 95% of digital literacy by 2030. Whether or not this vision is achievable remains to be seen.

3.0 The Role of National Universities Commission towards Digital Learning

Tertiary institutions, under the auspices of the National Universities Commission (NUC), are worthy stakeholders of the NITDA. The mandate to ascertain quality assurance and proper regulation of university curricula in Nigeria was duly granted by the Federal Government to the NUC. This is pursuant to the National Universities Commission Act 1974 (NUC Act 1974), which is to the effect that the NUC is set up as ‘a body corporate charged with the responsibility of advising the Federal and State Governments of all aspects of university education and the general development of universities in Nigeria.’ In addition, section 10(1) of the Education (National Minimum Standards and Establishment of Institutions) Act 1985 (ENMSEI Act 1985), provides as follows:

The power to lay down minimum standards for all universities and other institutions of higher learning in the Federation and the accreditation of their degrees and other academic awards is hereby vested in the National Universities Commission in formal consultation with the universities for that purpose, after obtaining prior approval therefore through the Minister, from the President.

Thus, the NUC is empowered to create minimum standards for all universities and other degree-awarding institutions of higher learning in Nigeria, along with the crucial task of accrediting their degrees and other

academic awards. The NUC is equally vested with powers to impose penalties for any contravention of its provisions.

In keeping with its mandate to ensure proper quality control of all academic programmes within the Nigerian University system (NUS), the NUC has evolved through different working instruments. The pioneer structure was known as the Minimum Academic Standards (MAS) created in 1989. Thereafter, owing to the need for a revision to meet with outcome-based benchmark instructions, the Benchmark Minimum Academic Standards (BMAS) was drafted and signed, with the approval of the Federal Government in 2007. However, due to the ever-evolving necessity to measure up with local and international realities of the 21st century for students to acquire certain requisite skills and competence to become relevant—both to self and society—the 2021 Core Curriculum and Minimum Academic Standards (CCMAS) document was launched in December 2022. The aim is to reexamine and introduce new academic fields or disciplines and programmes in the NUS.

The CCMAS actual implementation began in the 2023/2024 academic session, wherein the number of programmes offered recorded an increase from 188 to 238, and the disciplines increased from 14 to 17. The erstwhile acting Executive Secretary of the NUC, Chris Maiyaki, made this succinct statement about CCMAS:

NUC is primarily dedicated to ensuring quality and global competitiveness of Nigerian Universities as well as the graduates we produce. The development of the CCMAS went through painstaking process by bringing experts from our universities comprising of professors, regulatory bodies, Nigerian Economic Summit Group and all stakeholders. The CCMAS reflects global initiative that will equip graduates with knowledge and wherewithal that will advance the development of the nation.

Notably, the courses introduced in the CCMAS document are tailored to produce ‘fit for purpose graduates.’ The programme is structured to provide 70% core courses for each curriculum, and the remainder 30% is open for each university to introduce innovative courses in their indigenous and distinct area. Moreover, besides the general learning outcomes peculiar to each academic field or discipline, each individual course and programme likewise has its unique learning outcomes. Amongst the programmes reintroduced in the CCMAS document is Computing. In addition to operating as a distinct programme of its own, Computing also features as a foundation course for other disciplines—Faculty of Law inclusive—within the NUS. This underscores the need for students to be digital compliant.

4.0 The Efficacy of Digitalisation for Law Students in Nigeria

In keeping with the 30% quota open to every Nigerian university senate to introduce innovative courses into their curricula, it is apposite to ascertain that besides having learning outcomes and skills, soft skills are duly captured. The immediate past Minister of Education, Tahir Mamman, mentioned that skills acquired must be germane to three strata, to wit, the immediate surroundings where the various universities are situated, the country, and the international community, at large. He further stated, ‘there is no better place and time than now to develop a strategy that will guide tertiary institutions particularly universities in their mandate to provide appropriate manpower for the country.’

Consequently, the current opportunities open for learning the law within the NUS is inexorably tied with harnessing digital skills. It is a fact that the value law students—as digital citizens—stand to gain in the process of learning the law in a digitalised world, are myriads and unquantifiable. They include plagiarism deterrence, respect for copyright materials, digital security and privacy consciousness, ethics and proper use of technology, and comprehension of digital terms of use. These will be highlighted anon:

- ✓ **Plagiarism Deterrence:** In the course of learning the law, a student will have several opportunities of carrying out legal research. Besides utilising the hardcopy materials provided in the Faculty and University’s Libraries, students are privileged to have digital access to information in split seconds, even at the comfort of their personal space. Consequently, as expected of good digital citizens, it is an act of responsibility to cite the sources of information imported into a research work. The fact that a student comes across data that are relevant to a research topic does not call for being ‘smart or clever’ by taking ownership of the information, whether or not paraphrased. Under the Rivers State University’s curriculum, this digital law principle is well expatiated in the innovative final year course: Legal Research and Writing (RSU-LAW 598).
- ✓ **Respect for Copyright Materials:** Proper citation of data is indicative of a student’s acknowledgement of an external source’s copyright over such information. Besides being irresponsible behaviour, failure to give credits for an information that is not original to a student could have legal consequences. The laws regulating copyrights and intellectual property are well detailed in the year two elective course: Law of Intellectual Property I & II (RSU-PPL 201 & 202).
- ✓ **Digital Security and Privacy Consciousness:** Law students are sensitised on data privacy, which includes data settings, protection, and the dangers surrounding oversharing of personal information in the digital space online. Every digital citizen is bestowed with a digital footprint that requires adequate safeguards. Students are armed with information on how to avoid viruses, scams, online strangers, even cyberbullying. Further knowledge on this is reserved for the year two innovative course: Information and Communication Technology Law I & II (RSU-JIL 203 & 204).

- ✓ **Ethics and Proper Use of Technology:** One of the purposes of digital law is to regulate digital behaviour. Thus, it is expected of law students, as digital citizens, to abide by certain rules, such as ‘no screen-time’ with phones, tablets, or other electronic devices during certain times, such as lecture periods. Ethical use of technology further promotes health and wellness by regulating online bingeing as well as proper sitting posture while browsing the internet. Further elucidation is bundled in Information and Communication Technology Law I & II (RSU-JIL 203 & 204). Furthermore, it is no exaggeration to state that in the absence of a digital space, any learning experience of the year three course: Sports and Entertainment Law I & II (RSU-PPL 303 & 304), will only face frustrations.
- ✓ **Comprehension of Digital Terms of Use:** Law students will gain exposure on appreciating the dynamics of terms of use of various applications and websites. Subsequent upon acceptance, user agreements, privacy policies, and their implications, will be clearly examined so law students can ethically and safely navigate the digital space. The RSU-PPL 201 & 202 is poised to take the students through that digital journey.

5.0 The Impact of Digitalisation on the Legal Profession

The legal profession is renowned for being one of the primogenital professions in the world, which ipso facto contributes to the weight of respects it commands. Regardless, the swift-evolving digitalisation of society through technology has left some queries whether ancient professions are sustainable or have the requisite capacity to remain in business without any implementation whatsoever of some concrete and far-reaching reform strategy. For instance, it has been reported that the legal profession is amongst the many professions to be affected by industrial robots and artificial intelligence.

Using the United States of America as a case study on the percentage reduction for certain legal occupations, Markoff, quoted a professor of economics who stated that the US economy is being ‘hollowed out... New jobs are coming at the bottom of the economic pyramid, jobs in the middle are being lost to automation and outsourcing, and now job growth at the top is slowing because of automation.’ Markoff’s observation that nowhere are these advances clearer than in the legal world, is quite sobering. The invention of software programs that could scan thousands of legal briefs and cases in search for bulky softcopy files in shorter periods for less cost appears to be a big challenge to paralegals and lawyers.

Granted, Nigeria is a still a developing economy in the spectrum of developed economies, and have not arrived at the point where robotics take charge of the legal industry and others. Nonetheless, the need to distinguish oneself as a law student and soon-to-be lawyers cannot be overstated. Whilst there are bound

to be layoffs of lawyers for delays and inability to deliver a client's job in record time, there are equally bound to be diligent lawyers who will supervise computer research owing to digital expertise and being tech savvy.

6.0 Conclusion and Recommendations

It is no exaggeration that law students who learn the law with digital skills will, upon graduation and absorption into the workforce, be better equipped to take on roles in the ever-evolving digital legal market. The positive impact of learning the law in a digitalised world as highlighted above include plagiarism deterrence, respect for copyright materials, digital security and privacy consciousness, ethics/proper use of technology, and comprehension of digital terms of use. Without more, a good digital law student will almost always become a good digital lawyer. Therefore, the need to infuse digitalisation in the curriculum for law students learning the law cannot be overstressed.

Consequently, it is on this note that the following recommendations are hereby proffered for consideration:

1. The executive arm of government of all tiers, in conjunction with the Federal Ministry of Communication and Digital Economy, should come alive to their fiduciary duties of support of the citizenry by obtaining a well-organised data of students in tertiary institutions, for the purpose of issuing out grants, so they are able to purchase and manage an electronic device for digital learning purposes.
2. The Management of Universities as well as their various Faculties should enforce Digital learning through provision of projectors in all lecture halls and the introduction of power point presentations, digital dissemination of lecture notes, and complete metamorphosis to online submission of course assignments from students and their assessments. This should be done personally by each student, not by proxy. Outsourcing is not an option.
3. The University Management should equally provide a sustainable environment for efficiency and productivity in the use of digital tools through constant power supply.

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