

Fundamentals of Legislative Drafting

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Foreword

Legislative drafting is a critical aspect of law-making in any organized society. In our constitutional democracy wherein the organic law is the Constitution of the Federal Republic of Nigeria 1999 (as amended). Legislative drafting is a veritable instrument for distilling and ventilating policies and ideas of government both at the Federal and State levels.

When the Legislative Draftsman or woman is knowledgeable and properly skilled, this reflects clearly in the quality of Bills drafted and laws enacted. When the reverse is the case, the Bills are not only inelegantly worded but the reader is confronted with an ambiguous document. For the judiciary, the challenges are more obvious since they are compelled to seek the intention of the Lawmaker (normally not the intention of the draftsman). It is obvious that in some instances, the Courts have not successfully unveiled the intention of the lawmaker.

Perhaps, it is for the above reasons and the pressing need to groom a set of well trained Legislative Draftspersons that the Nigerian Institute of Advanced Legal Studies was in 1995 statutorily mandated to “conduct courses of instruction in legislative drafting leading to the award of post-graduate Diploma or a post-graduate degree”.

In the past fifteen (15) years or more, the Nigerian Institute of Advanced Legal Studies has prosecuted its mandate with zest and undiluted zeal. Worthy of mention is the fact that Nigerians no longer travel abroad for specialised training in legislative drafting. Even at that, it is regrettable that there is no text on the subject that introduces a student or an interested reader to the art of legislative drafting.

FOUNDAMENTALS OF LEGISLATIVE DRAFTING is therefore, an attempt to fill the void and to document in a text, well researched views of persons who are experts on the subject.

The book is a compilation of essays by eminent scholars and legal practitioners. This compendium addresses contemporary issues in legislative drafting and presents the reader with basic requirements for producing a flawless legislation. Judging from the depth of research and the wide range of topics covered, I have no doubt that researchers, Judges, Parliamentarians, legal Practitioners, Politicians, academics students of legislative drafting and the general reader will find this book very educative and instructive.

I warmly recommend ***FUNDAMENTALS OF LEGISLATIVE DRAFTING*** to the legal community in Nigeria and the world at large.

Professor Epiphany Azinge, SAN, PhD, LLD

Director-General

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