



Promoting Excellence in Knowledge

GHANA ACADEMY OF ARTS AND SCIENCES

J. B. DANQUAH MEMORIAL LECTURES (SERIES 55)



THEME: DIGITALISATION AND THE FUTURE OF THE GHANA LEGAL SYSTEM



TOPIC II: LEGAL EDUCATION AND PROFESSIONAL COMPETENCE IN OUR DIGITAL WORLD

SPEAKER: PROF. RICHARD FRIMPONG OPPONG, FGA
Professor of Law, California Western School of Law, San Diego, USA

DATE: 22ND FEBRUARY 2022 | TIME: 5:30 PM

VENUE: GHANA ACADEMY OF ARTS AND SCIENCES AUDITORIUM

#3 Research Crescent, Casely Hayford Road, Airport Residential Area, Near Water Research Institute, CSIR, Accra 📍 **GA-018-1233**

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J. B. DANQUAH MEMORIAL LECTURES 2022

LEGAL EDUCATION AND PROFESSIONAL COMPETENCE IN OUR DIGITAL WORLD

PROGRAMME DAY 2

5:30 PM

- **Welcome Address and Introduction of Chairman**
Prof. Helen Yitab, FGA, Honorary Secretary, GAAS

- **Chairman's Remarks and Introduction of Speaker**
Emerita Prof. Isabella Akyinbab Quakyi, FGA
Vice President, Sciences Section, GAAS

- **Lecture Begins**

- **Chairman's Closing Remarks**

- **Honorary Secretary's Remarks**

- **Closing [Guests to pick up bagged refreshments in the car park]**

THE MAN J. B. DANQUAH

Born on 21st December 1895, at Bepong in Kwahu where his father, Mr. Emmanuel Yaw Boakye Danquah, was working as an Evangelist at the Basel Mission, to his wife Lydia Okorn Korantemaa of Adadientam, near Kibi, Akim Abuakwa, he completed his formal education at the University of London, graduating B.A; LL.B; Ph.D., between 1921-27 and read Law at the Inner Temple where he was called to the Bar in 1927. He established probably the first daily newspaper in Ghana, *The Times of West Africa*, which was current between the years 1930 and 1935. He was a foundation member of the Gold Coast Youth Conference (1930) and Secretary to the country's delegation to the Colonial Office in 1934 to make representations against the Sedition Bill of that year and ask for an improved constitution for the country. He continued in Britain until 1936 doing research in the history and traditions of the Gold Coast people.

The late Dr. Danquah brought about the legislative union between Ashanti and the southern part of the country, then known as the colony, in the Burns Constitution of 1946. He was a foundation member of the United Gold Coast Convention. He was instrumental among others in bringing back home Kwame Nkrumah from Britain where he founded the West African National Secretariat. On arrival in Ghana, Nkrumah was invited to serve as Secretary General to the United Gold Coast Convention (UGCC). There were disturbances in February 1948 during the governorship of Sir Gerald Creasy and this ushered in the Watson Commission in whose report Dr. Danquah was named "Doyen of Gold Coast Politics". Elected to the Legislative Council in 1951, he became Leader of the Parliamentary Opposition until 1954. He published books on Akan institutions, laws and customs as well as numerous articles on contemporary events during his lifetime. A novelist and dramatist of no mean order, his *Third Woman* stands as a real contribution to the literature of Ghana.

HISTORICAL BACKGROUND OF THE J. B. DANQUAH MEMORIAL LECTURES

The J. B. Danquah Memorial Lecture Series was instituted in 1968 in memory of a foundation member of the Academy, Dr. Joseph Boakye Danquah, who died in prison in February 1965. J. B. Danquah was a lawyer, philosopher, scholar, novelist, dramatist, politician and journalist. In the words of Mr. Justice Nii Armaah Ollennu, Chairman of the Interim Council of the Academy in 1967, "As a statesman of the first rank, J. B. Danquah's indomitable courage and his relentless fight against tyranny and oppression to the very last day of his life, will remain a shining example to all lovers of freedom." The event consists of a series of three lectures delivered by either a Fellow or a distinguished non-Fellow.

The themes for the Danquah Memorial lectures were originally restricted to fields like law, history, philosophy and literature, disciplines whose study occupied the greater part of J. B. Danquah's academic pursuits. His Excellency W. B. Van Lare, a Foundation Member of the Academy, who at the time was Ghana's High Commissioner to Canada, and had had a long and distinguished career at the bench, delivered the maiden Danquah Memorial Lecture in 1968. The lecture was on the topic, 'The Law, Human Rights and the Judiciary'.

The Danquah Memorial Lecture series remained within the domain of the humanities, until 1976, when Professor F. T. Sai gave the first science lecture on an otherwise humanities-dominated platform.

The Academy has one major publication – The Proceedings – that is issued once a year and contains lectures and papers delivered during the anniversary celebrations and on other important occasions in the course of the year. The J. B. Danquah Memorial Lectures were originally part of the Academy's Proceedings, but have been published separately since 1974. This brochure contains the titles of the 54 J. B. Danquah Memorial Lecture Series held to date.

PROF. RICHARD FRIMPONG OPPONG, FGA

Professor of Law, California Western School of Law, San Diego, USA

Professor Richard Frimpong Oppong is a Professor of Law at California Western School of Law in San Diego, USA. He was elected a Fellow of the Ghana Academy of Arts and Sciences in 2016. He is a Member of the Royal Society of Canada's College of New Scholars, Artists and Scientists, and an Associate Member of the International Academy of Comparative Law. He is called to the Ghana Bar.

Professor Oppong has taught and worked for academic institutions in the United States of America, United Kingdom, Canada, the Netherlands, Saudi Arabia, Ghana, South Africa, Tanzania, Malawi, and Uganda. In addition, he maintains teaching and research interests in a broad range of commercial and business law subjects, such as the law of contracts, international commercial contracts, international arbitration, international trade and investment law, international business and economic transactions, sale of goods law, and conflict of laws.

Professor Oppong has published eight books (comprising four sole-authored books, two co-authored books and two co-edited books), and over 55 articles, book chapters, and book reviews. Two of his sole-authored books have been translated into Chinese. His publications include *Conflict of Laws in Ghana* (2021), *Private International Law in Nigeria* (2020), *The Government of Ghana and International Arbitration* (2017), *Private International Law in Commonwealth Africa* (2013), and *Legal Aspects of Economic Integration in Africa* (2011). Some of his writings have won international prizes. He is frequently cited in academic publications and has been cited in judicial decisions.

Professor Oppong was a member of the Working Group of The Hague Conference on Private International Law that developed and drafted *The Hague Principles on Choice of Law in International Commercial Contracts 2015*. In 2012, he held the Director of Studies (Private International Law) position at The Hague Academy of International Law.

Law firms frequently consult him on significant transactions. In addition, he has acted as an arbitrator, counsel or consultant in major international and domestic arbitrations before the ICC Court of Arbitration, London Court of International Arbitration, Permanent Court of Arbitration, Arbitration Institute of the Stockholm Chamber of Commerce, Singapore International Arbitration Centre, and the Ghana Arbitration Centre.

Professor Oppong completed his PhD at the University of British Columbia and Post-doctoral studies at the Schulich School of Law, Dalhousie University, Canada. In addition, he holds a Master of Laws degree from Harvard Law School, a first-class Master of Laws degree in Commercial Law from the University of Cambridge, and a first-class Bachelor of Laws degree from the University of Ghana.

**DIGITALISATION AND THE FUTURE OF
THE GHANA LEGAL SYSTEM**

As a people, we have become accustomed to enjoying the ever-increasing benefits of our technologically mediated lives. We live in a digital world, a place where engagement with digital devices, social media platforms, online commercial transactions and work have become commonplace for many of us. The overall theme of the three lectures is that, like individuals, legal systems are not immune to the impact of digital technology or the digital world that it has created. The lectures call for the Ghana legal system to embrace digital technology to advance its functions and goals.

Lecture 1 examines the access to justice deficit in Ghana, arguing for a broader conception of access to justice and exploring the leveraging of digital technologies to create new pathways to justice in Ghana. It argues for restrictions on advertising of legal services to be removed and for substantial investment in justice-technologies.

Lecture 2 examines the skills, knowledge, and competencies that legal education institutions must provide for students, in order to enable them to practice or work in a world that is increasingly marked by digitalisation. It also explores the potential of digital technology to transform the delivery of legal education in Ghana.

Lecture 3 examines how digital technology challenges the Ghana legal system's regulatory function. It focuses on consumer protection in the digital marketplace and new working methods organised through digital labour platforms such as Uber and Bolt. It argues for statutory and judicial interventions to protect consumers and platform workers.

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QUOTABLE QUOTE!!!

...the two critical foundation personalities who made all the difference to the credibility of the Ghana Academy of Learning, were the Prime Minister, Dr. Kwame Nkrumah, who was its Chairman and around whom everything in the Academy seemed to revolve; and Dr. J. B. Danquah, Nkrumah's doughty political opponent, who was once described by the Watson Commission as the 'doyen of Gold Coast politics'. What struck, at least most of us as the exciting and very promising feature and one that augured well for the credibility of the new learned society and for the country in general, was the fact that, despite the bitter political antagonism between these two former members of the Big Six and in contrast to what was happening in the country at large, Nkrumah as Chairman of the new Academy had actually seen fit to invite Danquah, by now his arch political opponent, to become a member of the new body; while Dr. Danquah, for his part, had genuinely accepted the invitation to become a member of the new Academy and was participating fully in its deliberations and meetings that were regularly held at Flagstaff House in the offices of its chairman, the Prime Minister, later the President and Head of State of the Republic of Ghana. We founding members were all very much encouraged by the early spirit of conciliation that seemed to prevail between the two most powerful political figures of our day within the confines of the new Academy, in stark contrast to the existing situation outside.

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(Prof. A. A. Kwapong, FGA, GAAS 2003 Anniversary Lecture).

J. B. DANQUAH MEMORIAL LECTURES

1968	W. B. Van Lare	The Law, Human Rights and the Judiciary.
1969	C. A. Ackah	Some Fundamentals in the Political Scene.
1970	R. K. A. Gardiner	The Role of Educated Persons in Ghana.
1971	K. Bentsi-Enchill	Institutional Challenges of Our Times.
1972	D. Austen	The Commonwealth in Eclipse.
1973	A. L. Adu	The Public Service and Administration of Public Affairs in Ghana.
1974	J. Appiah	The Man J.B. Danquah.
1975	L. Ofose-Appiah	Joseph Ephraim Casely-Hayford, the Man of Vision and Faith.
1976	F. T. Sai	Humanising Science and Technology for National Development.*
1977	K. A. Dickson	Aspects of Religion and Life in Africa.
1978	E. A. Boateng	African Unity - The Dream and the Reality.
1979	A. A. Kwapong	Higher Education and Development in Africa.
1980	L. E. Obeng	Environmental Management and the Responsibility of the Privileged.*
1981	C. G. Baeta	Theology As Liberation: For Contemporary Third World Programme.
1982	K. Twum Barima	The Cultural Basis of Our National Development.
1983	K. B. Dickson	The Urban-Rural Contrast in Ghana and its Implication for Development.
1984	E. Evans-Anfom	Traditional Medicine in Ghana: Practice, Problems and Prospects.*
1985	W. Ofori Atta	Ghana, A Nation in Crisis
1986	R. F. Amonoo	Language and Nationhood: Reflections on Language Situations with Particular Reference to Ghana.
1987	E. Laing	Science and Society in Ghana.*
1988	A. Adu Boahen	The Ghanaian Sphinx: Reflections on the Contemporary History of Ghana, 1972.
1989	E. Q. Archampong	Medical Education and National Development in Africa.*
1990	J. O. Hunwick	West Africa and the Arab World: Historical and Contemporary Perspective.
1991	J.O. de Graft-Hanson	Children's Literature – The Ghanaian Experience.
1992	D. A. Akyeampong	The Two Cultures Revisited: Interactions of Science and Culture.*
1993	D. A. Ampofo	The Health Issues of Human Reproduction of Our Time.*
1994	L. A. Boadi	Linguistic Barriers to Communication in the Modern World.
1995	J. M. Assimeng	An Anatomy of Modern Ghana.

1996	J. H. Frimpong-Ansah	Flexibility and Responsiveness to the Economy of Ghana.
1997	J. K. M. Quartey	Closing the North-South Gap; A Personal Point of View.
1998	E. N. W. Oppong	Veterinary Medicine in the Service of Mankind.*
1999	K. Gyekye	Beyond Cultures: Perceiving A Common Humanity.
2000	I. Addae-Mensah	Education in Ghana: A Tool for Social Mobility or Social Stratification.
2001	E. Lartey	Technology for Development.*
2002	Nana S. K. B. Asante	Reflections on the Constitution, Law and Development.
2003	Marian E. Addy	Training the Next Generation of Scientists.*
2004	K. Bediako	Religion, Culture and Language: An Appreciation of the Intellectual Legacy of Dr. J. B. Danquah.
2005	S. Ofosu-Amaah	The Origins of Disease and the Future of Our Health.*
2006	K. Yankah	Education, Literacy and Governance: A Linguistic Inquiry into Ghana's Burgeoning Democracy.
2007	S. K. B. Asante	Ghana and the Promotion of Pan-Africanism and Regionalism.
2008	S. K. Date-Bah	On Law and Liberty in Contemporary Ghana.
2009	E. D. Yeboah	Genital and Urinary (GU) Disorders and Services in Ghana: The Past, Present and Future.*
2010	A.K.P. Kludze	Institutional Responses to the Challenges of Nationhood and Democratic Governance in Ghana.
2011	S. K. A. Danso	The Earth that Nourishes Us: Soils And Humanity*
2012	K. O. Nti	Government and the Private Sector: Partners in Economic Development.
2013	J. R. A. Ayee	Leadership And the Ghanaian State Today: Reflections and Perspectives.
2014	A. B. Akosa	Ghana's Polarised Political Terrain.
2015	K. Ewusi	Human Capital and Economic Growth in Ghana.
2016	K. Donkoh Fordwor	Dr. J.B. Danquah: The Great Cultured Ghanaian Scholar And Patriot.
2017	J. S. Pobee	Peace And Security: An African Christian Theological Contribution.
2018	Akosua Adoma Perbi	Women In History: The Case of Ghana - Pre-Colonial, Colonial and Post-Colonial
2019	P.K. Sarpong	Religion and Science.
2020	L. Wosornu	J.B. Danquah: Unfinished Business in Voices from Behind the Bars.*
2021	Elizabeth Ardayfio-Schandorf	The Family, Our Nation: An Agenda for the 21st Century.

THE ACADEMY

The Ghana Academy of Arts and Sciences is Ghana's Premier Learned Society. It was founded in November 1959 by Government Instrument of Incorporation. Its aim is to bring together the highest level of intellectuals, experts, professionals in the country to constitute a 'Think Tank' in the Arts and Sciences to enable it advise government and other relevant bodies on issues of importance to national development.

Mission:

The mission of the Ghana Academy of Arts and Sciences is to encourage the creation, acquisition, dissemination and utilization of knowledge for national development through the promotion of learning.

Objectives:

The Academy's objectives partly reviewed over the years are to:

- Promote the study, extension and dissemination of knowledge of Arts and Sciences
- Establish and maintain proper standards of endeavour in all fields of the Arts and Sciences
- Recognize outstanding contributions to the advancement of the Arts and Sciences in Ghana
- Contribute actively to the development of Ghana and Africa generally by examining and addressing critical issues of development
- Do such things as are conducive or incidental to the attainment of all or any of the foregoing objectives

GAAS LEADERSHIP

COUNCIL MEMBERS, 2021 - 2022

1. Emeritus Prof. Samuel Kofi Sefa-Dedeb, Foundation Dean of the School of Engineering Sciences at the University of Ghana; Fellow of the International Academy of Food Science and Technology; Fellow, Kellogg Foundation Leadership Programme in Food Systems and Former Chairman of the Millennium Development Authority (Ghana), as its 20th President since the incorporation of the Academy;

2. Prof. Kofi Opoku Nti, Game Theorist, Independent Consultant and former Dean of the University of Ghana Business School, Legon, as Vice President of the Arts Section;

3. Emerita Prof. Isabella Akyinbab Quakyi, Professor of Immunology and Parasitology and Foundation Dean of the School of Public Health (SPH), College of Health Sciences, University of Ghana (UG); 2014 Laureate of the prestigious African Union Kwame Nkrumah Award for Women in Science; Secretary-General, Network of African Science Academies (NASAC); and Member, Board of Ghana Nuclear Regulatory Authority, as Vice President of the Sciences Section;

4. Prof. Lade Wosornu, Professor of Surgery (retired) and founding Fellow of the Ghana College of Surgeons; Member, Ghana Medical Association and West African College of Surgeons; Poet, Philanthropist, Essayist and Columnist for The Ghanaian Times, as Honorary Treasurer;

5. Prof. Helen Atawube Yitab, Professor of English; Dean, the School of Languages, University of Ghana; former Head, Department of English, University of Ghana; founding Director, University of Ghana-Carnegie Writing Centre; Fellow, Columbia University Center for the Study of Social Difference and Chair, Publications Committee, GAAS, as the Honorary Secretary;

6. Professor Arthur Commey Sackeyfio, Founding Dean of the University of Ghana School of Pharmacy;

7. Dr. Eugenia Date-Bah, Former Director, Crisis Response and Reconstruction InFocus (International Focus) Programme, International Labour Organisation (ILO);

GAAS LEADERSHIP

COUNCIL MEMBERS, 2021 - 2022

8. Emerita Prof. Takyiwaa Manuh, Vice Chairperson, National Development Planning Commission (NDPC); Former Director of the Institute of African Studies, University of Ghana; Former Director at the Social Development Policy Division of the United Nations Economic Commission for Africa in Ethiopia; Member, Council on Foreign Relations, Ghana (2020); and Member, Editorial Advisory Board, *Feminist Africa*. (2020);

9. Prof. Alfred Apau Oteng-Yeboah, retired Professor, Department of Plant and Environmental Biology, School of Biological Sciences, the University of Ghana; founding bureau member and former Vice-Chair of Intergovernmental science policy Platform for Biodiversity and Ecosystem Services (IPBES), representing Africa; joint winner of the 2014 international prestigious Midori Prize for Biodiversity and Former Deputy Director-General of the Council for Scientific and Industrial Research (CSIR-Ghana);

10. Rev. Prof. Johnson Kwabena Asamoah-Gyadu PhD, ordained minister of the Methodist Church Ghana; Baëta-Grau Professor of Contemporary African Christianity and Pentecostal/Charismatic Theology at the Trinity Theological Seminary, Accra, Ghana; and President, Trinity Theological Seminary, Legon; and;

11. Justice Prof. Henrietta Mensa-Bonsu, Justice of the Supreme Court of Ghana and immediate past president of the Academy.

PRESIDENTS
GHANA ACADEMY OF ARTS AND SCIENCES
[1959 - 2022]



Duke of Edinburgh, Prince Philip, FGA
1959 - 1961



Dr. Kwame Nkrumah, FGA
1961 - 1966



Mr. Justice N.A. Otienu, FGA
1969 - 1972



Prof. C.A. Baateng, FGA
1973 - 1976



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1977 - 1980



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1991 - 1992



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Prof. J.H. Kwabena Nketia, FGA
1997 - 1998



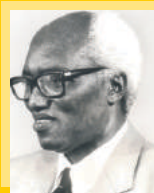
Prof. Fred T. Sai, FGA
1999 - 2002



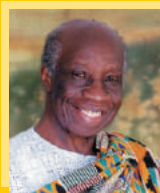
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