University Autonomy and Academic Freedom in the Administration of State Owned Universities in Rivers State, Nigeria

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ABSTRACT
This paper is an attempt to discuss university autonomy and academic freedom in the administration of (state owned) Nigerian universities. It utilizes a multi-dimensional approach while examining the agitation/or autonomy and academic freedom. This paper is a theoretical presentation, which seeks to provide answers to likely questions as regards to university autonomy and academic freedom in administration of tertiary education. It equally attempts to examine the various enabling laws backing the agitation for autonomy and academic freedom. It provides pragmatic views on merit and demerit of the subject matter and looks at comparative analysis of university autonomy and academic freedom. The paper views the emergence of university education in Nigeria, how it had been controlled and managed. The paper concludes by stating what universities should do as regard to autonomy and academic freedom in administration of Nigerian universities.

Keywords: Autonomy, Academic freedom, Administration, Universities.

INTRODUCTION
In spite of the tremendous expansionary growth of the university system in Nigeria, the system lacks autonomy, academic freedom, facilities and infrastructure to absorb the teeming number of applicants or students each year. The lack of autonomy and academic freedom in the nation’s ivory towers seems to be an impediment to the full realization of the goals of the university. It appears that not much serious academic work goes on in the Nigeria University systems these days. Most lecturers, Heads of Departments and Deans of Faculties appear not to be committed to serious academic work. Academics seems not to be relegated to business nowadays rather than research work which they are hitherto known for. It also appears that the whole university system has been politicalized because of the erosion of the autonomy and academic freedom in the nation’s universities. This has negative effects on the quality of graduates being produced from the ivory towers. The purpose of this paper therefore, is to examine how realistic the attainment of full autonomy and academic freedom in Nigerian universities could be possible.

Concept of University Autonomy and Academic Freedom
The terms freedom and autonomy appears to be synonymous. The Oxford Advanced Learner’s Dictionary defines Freedom as the right to do what you want without anyone’s interference and Autonomy as the
freedom for a country, state, region or an organization to govern itself independently, the ability to act or make decisions without being controlled by external power. Lunenburg and Ornstein (2008) opined that autonomy is “the degree to which the job provides substantial freedom, independence and discretion to the individual in scheduling the work and in determining the procedures in doing the work”. Hoy and Miskel (2013) postulated that “the need for autonomy or self determination is the desire to have choice in what we do and how we do it. In other words, it is the desire to act independently, rather than to have external pressures and rewards which determine our actions. The provisions of the Fundamental Human Rights of every citizens of Nigeria stipulates. Out of the twelve (12) rights, four (4) of them specifically have the word “freedom” attached to them.

1. Right to freedom of thought, conscience and religion
2. Right to freedom of expression and the press
3. Right to freedom of movement and
4. Right to freedom from discrimination

If humans need freedom as fundamental rights, it also goes to support or agree with the agitation for University Autonomy and Academic Freedom.

Let consider the definitional analysis of University Autonomy:

As explained by Academic Staff Union of Universities (ASUU) (2007:18), “autonomy means the independence of institutions of higher education from the state and all other forces of society to make decisions regarding its internal government finance, administration and to establish its policies of education, research, extension work and other related activities”.

Okeke (2007) considers an autonomous University as “an integrated organization with a flexible management structure, integrated finance, personnel and services and incentives to generate external income. It refers to the right of the higher educational institutions to govern themselves without outside control.

Lima Declaration (2000) in Okeke (2007), “Universities autonomy relates to the independence of institutions of higher education from state and all other forces of society, to make decisions regarding its internal government, finance, administration and establish its polices of education, research, extension work and other related activities”.

University autonomy is a shift in the focus of certain aspects of control and decision making from government and its agencies to the University campus, notably the council, senate and university management and administration.

UNESCO in Ojedele and Fadokun (2009) defined autonomy as:

The degree of self-government necessary for effective decision-making by institutions of higher education regarding their academic work, standards, management and related activities consistent with systems of public accountability, especially in respect of funding provided by the - state and respect for academic freedom and human right (p. 41).

A synthesis of the above definitions means that University autonomy refers to the state where higher educational institutions can do without government interference and intervention in areas like finance, employments, appointments, administration/management, and the establishment of rules, regulations, policies, programmes, research, extension work and other related activities.

Academic freedom on the other hand could be defined as “the autonomy of teachers in exercising their professional rights in school related matters. It protects the teacher in the use of ‘dirty’ words if conveyed for demonstration of education purpose” (Maduagwu, 2006).

According to the Lima Declaration (2002) in Okeke (2007), academic freedom is the freedom of members of the academic community individually or collectively in the pursuit, development and transmission of knowledge through research, study, discussion, documentation, production, creation, and teaching, lecturing and writing without let and hinder.
Such freedom include, according to ASUU (2002) in Nnabuo and Ememe (2007) amongst others:

(a) Select their students but bearing in mind the disparity in education and diversity in culture of the component states of the federation or region. In this regard, the universities are to serve as centers for national unity.

(b) Appoint their staff of the highest caliber to guarantee effective contribution to knowledge and the nation’s development. Such appointment should also take the federal nature of the country, region or state reasonably into account.

(c) Teach and select areas of research and disseminate information relating to research results. The teaching should be broadly based because problems have become multi-dimensional and requires multi-disciplinary approach to their solution. Research must primarily relate to the nation’s or state needs.

(d) Determine the contents of courses, which must be designed on inter-disciplinary basis and with emphasis on principles. This will ensure that the students are imbued with how to think, logically, systematically an academically.

Furthermore, Nnabuo and Ememe (2007) asserted that:

*Academic freedom simply connotes that academicians should have the right to freely exercise their professional knowledge in the delivery of education which helps not only to equip their students with objective knowledge but also to develop public awareness on those issues that affect their lives so when the academicians are subjected to government sanitary and fear to dispose knowledge, the university enterprise is in trouble (Nnabuo and Ememe. 2007:20).*

An analysis of the definitions above portrays academic freedom as the right or autonomy which the teacher or academic body have in discharging their professional duties within the ambit of the professionalism and its ethics without any external aggression or intervention.

**The Agitation for University Autonomy**

Anytime the issue of University Autonomy and Academic Freedom is raised, contention, controversy, conflict and confusion always follows. This is because government is responsible for bulk financing of the Universities, whether federal or state owned, since no University system will always achieve financial independence; it means “he who pays the piper, dictates the tune” Ojedele et al (2009). Dictating the tune by government who pays the piper, the university has raised a lot of dust as government influence is noticed in every part of the educational institution. The citing of tertiary educational institutions, appointment of chancellors, vice-chancellors, rectors, provosts, chairmen of governing councils and principal officers cadre are clouded with political consideration (Okeke, 2007). Government at all times and level because of the huge amount of money invested in the universities attempts to control the universities.

Oyedele (2009) opined that Nigeria Universities have lost their autonomy to Government or Government agents because they finance/fund the institutions

According to him, this loss stemmed from:

i. The declaration under Udoji that University staff were public servants, in spite of the contractual agreements between Government Universities staff unions but became instead an arm of the Government between each Universities and Staff and the governing council;

ii. The National Universities Commission (NUC) which was set up as a buffer between Government and Universities but became instead an arm of the government and now controls the Universities in the guise of maintaining “minimum standard”, and

iii. The role of the visitor who is the Head of Government (i.e president or governor) and has usurped the functions of the chancellor as the constitutional head of University,
The effect of the above is demonstrated according to Nnabuo, et al (2007) in the arbitrary sack of many university lecturers and reprimanding of others by government for teaching what either the government or the vice chancellors regard as objectionable materials. A case in point is the 1978 dismissal of many lecturers following the “Ali must Go” mass students protest organized by the National Union of Nigeria Students (NUNSS). In 1985, eight (8) lecturers were dismissed and two vice chancellors retired, while in 1980, the then president of Nigeria, Alhaji Shehu Shagari at the University of Lagos Convocation attacked academic freedom, asserting that the academicians who are paid out of public funds have no right to think for themselves and have no right to propound theories that are not in agreement with the prevailing government policies.

In 1987, the federal ministry of education issued a circular, barring all Nigerian academicians from attending conferences and seminars outside the country without first obtaining the personal approval of the minister of education.

The issues raised on university autonomy makes one begin to doubt if the Nigerian Universities are really autonomous. For instance, to what extent can one speak of university autonomy in Nigeria with the involvement of the Joint Admissions and Matriculation Board (JAMB), the activities of the National Universities Commission (NUC) and other government statutory bodies or agencies in the Nigerian University System. Accordingly, Government involvement in higher education is raising a lot of problems and conflicts. As Okeke put it in Okeke (2007):

*The governance of education has become inextricably intertwined with the politics of the state and nation. The problems of national education system provide abundant materials for political conflicts” and “There exists confusion as to the proper focus, scope and boundaries of politics of public education in the developing nation” (p. 85).*

The crux of the agitation for University Autonomy and Academic freedom is captured by Nnabuo, et al (2007) when they posited that:

*Government clamp down on academic freedom and the treatment of academicians with suspicion, resentment and some times, outright hostility have caused a lot of tension, outrage and strikes in the universities which had led to the closure of the universities and students stay at home sometimes ranging from two weeks to even a whole academic session, which has brought about a lot of fundamental problems for the university education system in Nigeria” (p. 17).*

The agitation for autonomy is necessitated by the usurping of authority by Government over the academicians, ill treatment of lecturers, suspicious, resentful, outright hostility, strikes and many more which have characterized higher education system in the country.

**The enabling laws backing the Agitation for University Autonomy in the Administration of Nigerian (state owned) Universities.**

There are enabling laws backing the agitation for university autonomy and academic freedom in the administration of Nigerian universities both federal and state. And these includes:

1. The Right to freedom of expression and the press as contained in the 1999 constitutions of the Federal Government as amended which stipulates that:
   a. Every person shall be entitled to freedom of expression including freedom to hold opinions and to receive and impart ideas and information without interference. Academic freedom which enables the teacher or lecturer to freely express himself or herself with the ethics and rights of the teaching profession is covered by this.
2. The National Policy on Education (FGN, 2004), sections 8 (63) declare that:
a. The internal organization and administration of each institution (tertiary institution, in this wise) shall be its own responsibility
b. The traditional areas of academic freedom for the institutions are to:
   i. Select their students, except where the law prescribes otherwise
   ii. Appoint their staff
   iii. Teach, select area of research
   iv. Determine the content of courses.
   It further remarks that Government shall continue to respect this freedom as long as these areas are in consonance with national goals and objectives
3. A bill on university autonomy has been passed by the National Assembly but it is still to be repackaged or amended in view of current realities in the country.
4. The September 1988 World University Service (WUS) in her (60th) sixty assembly meeting approved the “Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education” (Okeke 2007).
5. The Universities (Miscellaneous Provision) Decree No. 11 of 1993 which stipulated “the procedures for appointment of Vice-Chancellors as provided for in the September, 1992 agreement between ASUU and the Federal Government including states should be upheld and fully implemented by all levels of government.

From the foregoing, it is clear that the agitation for University Autonomy and Academic Freedom has legal backing which government cannot claim ignorance of.

The Merits and Demerits of University Autonomy and Academic Freedom

Merits:
The benefits or merits of university autonomy and academic freedom are enormous. And they include:
- Freedom on the part of teachers to hold unto or express their views even though they may be at variance with the state government position or prevailing political issues of the times,
- Freedom of tertiary institutions to freely draft rules and regulations and autonomously implement them by the canons of truth, which are self-validating,
- Academicians will have the right to think and propound theories which may be at variance with the prevailing state government policies.
- Incessant strike actions embarked upon by ASUU will be reduced and
- tertiary Institutions can then admit and employ the right caliber of students, staff and venture into all other professional areas of revenue generation.

Demerits
There are two sides to every issue. Based on this, the demerits of university autonomy and academic freedom includes:
- Abuse of such right to the detriment of the state or nation.
Oyedele et al (2009) asserted that this possibility cannot be ruled out though with the strong and those at the “cutting edge” remain so, the weak may well be undermined.
- Chances are there for a pathetic scenario in Nigerian (state owned) Universities as some of them may respond to the scarcity of funds and finance by devising various ingenious mean of mobilizing of internal generating funds.
- University education will be highly expensive as is the case with private owned universities.

Comparative Analysis of University Autonomy and Academic Freedom
Nigeria was colonized by the British colonial masters and hence, inherited their educational system the government take-over responsibilities of higher education is old fashioned style from Europe. To buttress this point, Okeke (2007) declared:
State control of education had been nearly in all aspects of higher education including access, study, contents, degree requirements, etc. that was the model prevalent in the European continental system where higher education was built around the principles of legal homogeneity in order to insure similarity of education standard and programmes (p. 299)

The government take-over of responsibilities of higher education stipulates a national system of education. This kind of system of education is not practiced in America, Accordingly, Lunenburg and Ornstein (2008) posited thus:

   A national system of education does not exist in the United States in the same sense that it does in England, France, Germany, or Russia. Education in the United States is considered both a state and a local function as there are fifty(50) different state systems and many differences exist among local systems within the same state. In total, there are over 15,000 different local school districts each with its own educational philosophy and goals (p. 226).

From the foregoing, universities in America operates autonomously providing for their own finance, admission of students, employment and promotion of staff, etc. without government interference. Philanthropists and donors fill the vacuum in federal or state funding and thereby provides discretionary money or finance for school reforms (Lunenburg and Ornstein, 2008). In essence, it appears that the type of educational system prevalent in Nigeria which was inherited from the British is practiced in France, Germany, and Russia.

The Emergence of University Education in Nigeria

The recommendations of the Ashby’s Commission for the emergence of Nigeria Universities, according to Ejiogu (2001) includes:

1. That the universities to be established in Nigeria should be national in character, such that students in each of them are drawn from other states or regions in the country.
2. That the universities should be autonomous, free and independent in the conduct of their internal affairs.
3. That each new university should aspire at least in one subject to be a national centre, drawing students from all over the states of the federation.

Maduagwu (2006) The Nigeria University Administration System was for historical reasons largely patterned on the British model. The Vice-Chancellor is the chief academic and executive officer of the university. The university is governed by the council and the senate”.

Igwe (2010) postulated that:

   Of considerable importance to educational legislation in Nigeria is the Federal Government Policy statement published in. the Daily Times of August 21, 1972, page 17 which states that the Supreme Military Council (SMC) has decided that the Federal Government should henceforth assume full responsibility for higher education throughout the country, with the provision that the status quo in respect of the existing universities should still be maintained (p. 90).

A synthesis of these reveals that the emergence of university education is traceable to the recommendations of the Ashby’s Commission who recommended among other things that Nigerian Universities should be national in character, be autonomous and independent in the conduct of their affairs. It is largely patterned after the British model and fully responsible to the Federal Government.
CONCLUSION

The state of things in Nigerian (state owned) universities seems unsatisfactory. This could be attributed to the wrangling between the state government and the other stakeholders in the University educational sector.

Accordingly, there is the utmost need for state owned universities and indeed tertiary institutions should be granted full autonomy and financial freedom both in management and administration this will enable create more enabling academic environment in our ivory towers.

Finally, if the above recommendations are fully implemented, one believes the present ugly scenario will change, the sky will be limit for our state owner tertiary institutions.

RECOMMENDATIONS

We recommend that what state owned University Administration and management needs to do now are the following:

1. Government at all levels should withdraw from political intervention and involvement in the administration of universities;

2. Government should rather encourage universities to generate funds to enable them stand on their feet;

3. Government should formulate policies to encourage companies and other financial outfits (including private organisations) to put money in the development and management of the state owned universities;

4. The state owned universities should be allowed to source for funds through contract research, and other legitimate internal generating ways and means;

5. The National Universities Commission (NUC) should be more responsive to the funding needs of the state universities and should make policies that could help such university administrators, managers and lecturers to function as such;

6. Co-operation among the administrators, university lecturers and state government should be enhanced and made more meaningful in order to improve their work and also for them to work as a team to improve the academic standards, quality and the development of the state university educational system in Nigeria. Independence in the conduct of their affairs;

7. The TETFund should also be more involved financially in the intervention and assistance of state owned tertiary institutions

REFERENCES


