ADMINISTRATIVE IMPLICATIONS OF FEDERAL GOVERNMENT TAKE-OVER OF NIGERIAN UNIVERSITIES

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TO

LEADER O. O. OBU

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CHAPTER I

INTRODUCTION

1.1 Purpose of the Study

The Establishment of Nigerian Universities in the late fifties and early sixties, according to Sir Eric Ashby, had been activated primarily by the need for high level man-power for the development of the country. University of Ibadan, the earliest of them all was established in 1948, Nsukka in 1960, Lagos, Ahmadu Bello and Ife followed in 1962; Benin came up in 1970. While Ibadan and Lagos Universities were and are federal institutions in the sense that Federal Government provided all the needed funds and made the Laws and Regulations for the smooth running of the universities without seriously interferring with their day to day administration, universities of Nsukka, Zaria, Ife and Benin were established by Eastern, Northern, Western and Mid-Western Regional Governments respectively to serve the interest of the Regions and were funded from three distinct sources, including Regional Government, federal government and foreign grants.(1)

But in 1975(2) the Federal Government of Nigeria took over all Nigerian Universities. Since the take-over, University administration in this country has run into some problems and many of these problems

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1. A.B.U. Calender 1977/78 p.27
2. Federal Republic of Nigeria official Gazette No. 42 Vol. 62 - Ahmadu Bello University (Transitional Provisions) Decree No. 22 of 28th August, 1975 p.97 A.

are believed to be caused by the take-over. The purpose of this study is to evaluate the effects of this take-over on the administration of the universities, highlighting those problems created by the take-over, and, on the basis of the findings to recommend measures for improvement of university administration.

In this study, Ahmadu Bello University (A.B.U.) will be used as a model for analysis as follows: how the take-over has affected -

(a) the organizational structure of A.B.U.,

(b) the financing of A.B.U. Programmes

(c) Recruitment, appointment, training and promotion policies of A.B.U.

(d) Admission and welfare of students

(e) Teaching and Research policies

(f) Academic freedom and university autonomy

The study will examine the policy and operational processes as they existed before and after the take-over. The intention here is to bring out the changes if any in both processes that have taken place since the take over which will make evaluation possible, and guide in suggesting measures for improvement.

1.2 Why Ahmadu Bello University

In its Memorandum to the Public Service (Udoji) Commission[3] the Committee of Vice-Chancellors of Nigerian Universities submitted that all Nigerian Universities have been established with a broadly similar pattern of organization, structure and management. This pattern, they agreed, is based on the one adopted in British Universities founded within the last one hundred years although with some significant modification such as the omission of the university "court". It does not then matter which I choose since all of them operate fairly similar structures, but my choice of Ahmadu Bello University as a case study is partly arbitrary and partly for convenience. The choice is convenient because of proximity since I live in Zaria and have been in this university from 1968 to date, first as an undergraduate student up to 1971 and from that year to date (1979) as a senior administrative staff.

1.3 Historical and Legal Setting of Ahmadu Bello University

Ahmadu Bello University is one of the thirteen Universities owned and controlled by the Federal Government of Nigeria as from 1975[4]. The history of these thirteen universities indicate that each of them started as a government institution (Federal, or Regional/State.)[5]

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3. Committee of Vice-Chancellors: Memorandum submitted to the Public Service Review (Udoji) Commission 1973 p.80.
4. See foot note (2) on page 2.
5. See table 1 on page 118.

The first Nigerian to call for university establishment in Nigeria was Benjamin Nnamdi Azikiwe,[6] a Lincoln university graduate (born in 1904 in Zungeru, Northern Nigeria) after his return from America to West Africa on completion of his studies in 1934.

The earliest response to this call was the establishment of the Nigerian College of Arts Science and Technology with branches at Ibadan, Zaria and Enugu which later developed into universities. On the strength of the recommendations of the Ashby Commission[7] on Post-School Certificate and Higher Education, Ahmadu Bello University was established in 1962.

The Law[8] establishing Ahmadu Bello University (The Ahmadu Bello University Law 1962, W.N. 32 of 62) was passed in June 1962 by the then Northern Nigeria House of Assembly and became effective on October 4 1962. The Law reads in parts:

> "There shall be in Northern Nigeria a University to be known as the Ahmadu Bello University, the Authorities of which are hereby constituted a body corporate which shall have perpetual succession and common seal and may sue and be sued in the name of the said university ..."

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6. In July 1934 Dr. Azikiwe dropped the name Benjamin as a protest against discrimination at the British Empire Games. See his "Respect for Human Dignity" Inaugural Address as Governor General Lagos 1960; also "Myodyssey" autobiographical sketches published in West African Pilot 1938-39 and preserved in mimeographed form at University of Nigeria Library.
7. Investment in Education. The Report of the Commission on Post-School Certificate and Higher Education Nigeria (under the Chairmanship of Sir Eric Ashby) Lagos Federal Ministry of Education, Nigeria 1960.
8. Ahmadu Bello University Calender 1977/78 p.33.

The Law went on to state the objects, powers, authorities faculties, institutions, colleges and other units and other matters of administration of the University. Like other regional universities, it was established by the regional government (with Northern Nigeria Government fund), but while the other universities were named after towns in which they were situated, the university at Zaria was named after its founder, the late Sir Ahmadu Bello.(9)

The administrative headquarters and most of the teaching departments are located on the site of the Zaria branch of the disbanded Nigerian College of Arts, Science and Technology. In keeping with the recommendations of the Ashby Commission, the Assets of the Nigerian College were transferred to the new university. The Abdullahi Bayero College (now Bayero University, Kano) but formerly Ahmadu Bello College was also in-corporated. Two previosly existing Northern Nigeria Government institutes - the Institute of Administration at Zaria and the Institute for Agricultural Research and special services at Samaru became semi-autonomous units of the University.

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9. Sir Ahmadu Bello was the Leader of Northern Peoples Congress which controlled the Northern Regional Legislature. He was also the Premier of the Region and Vice-Chairman of World Islamic Religion and therefore used his influence to name the university after himself even though Government finances were used in establishing it.

1.4 Justification for the Study

Since the take-over of these universities many public statements have been made concerning the policy making powers of the universities. For instance, it is alleged that the new method of appointing the Vice-Chancellors now has deprived the Council and Senate of their statutory powers. Operationally, it is also alleged that reduction of government grants to universities from 1976 to date has resulted in serious financial problems to these universities and this is due to the take-over of the universities by the Federal Government.

It is also alleged that most student problems such as shortage of accommodation facilities and increases in the lodging and feeding fees in Nigerian Universities are due to the take-over.

These allegations, if they are true could have serious impact on the administration of the universities. But it does not end there. The news media have carried interesting headline news about Nigerian universities after the take-over. One of these is the publication in "The New Nationalist[10] captioned "Have the Nigerian Universities failed the Nation?". In this article the author explains what he means by Government intervention and condemns the present role of the "visitor" to the universities. On the one hand he blames the take-over on the government which he says regards the university as "the opposition" in a military government without a formal opposition; and

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10. The New Nationalist: A monthly publication Vol. 3 Nos. 2 and 3 May and June 1976 pp. 1-3.

on the other hand, he blames the takeover on the members of academic community themselves for the way they handle staff/student grievances, appointment and promotion of members of staff.

Another publication is by the Daily Times[11] of Nigeria captioned "Universities have failed us". The news item was reporting what the then Federal Commissioner of Education - Col. Ali said on the occasion of launching of Mr. V. C. Ike's new book - "University Development in Africa". In that article Col. Ali is reported to have said that our universities were incapable of transmitting African Culture to their students and that the products of these institutions lacked good African manners for example our undergraduates can be found chewing nuts or eating sweets in the streets."

The above public utterances and publications were part of the factors that prompted me to investigate the effects of the Federal Government take-over of Nigerian Universities on University administration. As far as I am aware there has been no published work on this topic and I hope that when completed this investigation will throw more light on the issues raised and make some contribution to knowledge.

Because of the importance of universities in their contributions to public enlightenment and production of needed manpower to man our economy,

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11. Daily Times June 8, 1976 p. 32.

I felt justified to under-take this investigation which I believe can contribute to improve our understanding of the circumstances affecting the effective and efficient administration of our universities.

1.5 Limitations and The Scope of the Study

1. This study is limited by the fact that nothing has yet been written on this topic. It is also limited by the fact that the take over took place only five years ago. The period of five years is too short as a period of observation of an organization to enable one make valid conclusions based on observation.
2. Time and resources at hand were also a limitation. A period of three months was too short for me to collect samples from the thirteen universities hence I limited my study to Ahmadu Bello University alone. That sample is too small and a generalization covering the thirteen universities cannot be based on it.
3. Because of these limitations, I based my study on the process of making new and amending existing laws and on the operations as they are carried out by the Vice-Chancellor, the Registrar, the Bursar and the Departments in Ahmadu Bello University.

1.6 Definitions and Explanations of Terms used

Take-over

The take-over act implies the Federal Government right to appoint and remove a Vice-Chancellor, right to make new or amend existing ones, right to abolish tuition fees, increase or reduce lodging and feeding

charges, right to suspend existing programmes, approve or reject new ones through its various agencies. These rights are contained in the following decrees:[12]

1. Decree No. 44 of 1973 for University of Nigeria, Nsukka
2. Decree No. 20 of 1975 for University of Benin
3. Decree No. 22 of 1975 for Ahmadu Bello University
4. Decree No. 23 of 1975 for University of Ife

Ahmadu Bello University (Transitional Provisions)

Decree No. 22 of 1975

This decree promulgated on 27th August 1975 dissolved the Ahmadu Bello University Council, set up a Provisional Council to govern subject to the general direction of the Head of the Federal Military Government. This decree did not only suspend section 14 of the Ahmadu Bello University Principal law which established the University Council, but deprived the Provisional Council of its statutory powers of delegating functions and making of statutes. Finally it vested in the Head of the Federal Military Government (who became the "Visitor" by this decree), the power to make new and amend existing laws especially the power to appoint or remove ABU Vice-Chancellor.

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12. See foot note on page 2.

Standard Tenders Procedures

This refers to the procedures that are followed for tendering and award of contract. In the order in which it is set out under, it clearly shows what the parties in the tendering and contract exercise must do from the beginning to when the contract is signed:

(a) The University task

(b) The Consultants task

(d) The action of NUC

(d) The Final stage in which the contract documents are prepared by the University for signature.

These procedures are to ensure that before a contract is awarded it has passed through the built in cheeks and balances in its normal processing. The aim is to eliminate corruption, bribery and abuse of office in the process of awarding contract.

Academic Plan

A University's Academic Plan sets out by faculty its recommended numbers of students and staff in each category (teachers, senior technicians, senior and junior support staff). For teaching staff, Professors and Readers have been assumed to make 15% of the number, senior lecturers 25% and the lower lecturership grades 60%. Provision for general University research has been fixed with reference to the number of post graduate students, the number of academic staff, the types of programme in the university and the need for a developing University to acquire some basic infrastructure. For library, allocation is fixed at 4% while 1% is for operating expenditures.

The number of all senior administrative staff allowed is estimated at one-third of the approved total number of academic and technical staff in academic unit, the estimate for all junior staff is one-half of the University enrolment. The direct teaching costs at the University have been determined from the Academic Plan[13] and this is its importance especially in sharing out government block grants to all the Universities.

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13. NUC Annual Report: July 1977 - June 1978 p. 15-16.

CHAPTER 2

METHODOLOGY

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METHODOLOGY

The subject of investigation in this study has suggested the method to be adopted. This is a case study of an institution - Ahmadu Bello University in order to evaluate the effects of Federal Government take-over of Ahmadu Bello University on A.B.U. administration.

The method adopted is case study method on comparative basis; to compare and contrast the policy and operational processes before and after the take-over. As the problem to be investigated deals with government actions with reference to a particular institution - A.B.U. - and usually government actions are based on laws, enactments, rules and regulations, this investigation depended heavily on the use of documents to authenticate the points raised. So data will therefore be collected from the primary source, namely:

2.1 Use of Documents

Official Records.

(a) Policy Instruments -

This includes - Federal Government Constitutional Provisions for Higher Education in Nigeria, Decrees and or laws including A.B.U. Laws, policy statements from acredited authorities, Regulations governing the conditions of Appointments of A.B.U. staff. Under-graduate and Graduate Prospectus, Hand book of Administrative Procedures.

(b) Policy Decisions - Flowing from:

Commissions set up by the Federal Government, National universities Commission Proceedings. Committee of Vice-Chancellors, Council and Senate Committee Proceedings, Vice-Chancellor Administrative Committee proceedings.

(c) Policy Instructions - flowing from:

Federal Government Cabinet Office

Federal Ministry of Education

National Universities Commission

Committee of Vice-Chancellors.

(d) Other sources:

Books on university administration,

The Newspaper - essential facts only were collected

Magazines,

Eye witness account - this was based on my experiences here in A.B.U. for twelve years now.

Historical writings and biographies and autobiographies.

2.2 Case Study Method

I have chosen Ahmadu Bello University as a case study which I hope will provide an in-depth investigation of the implications of the take over on A.B.U. policy and operational structures, I will examine the aspects of A.B.U. Legal provisions that affect the powers of the visitor, the Council, the Senate. I will also take a look at the operations in the departments, office of the Vice Chancellor, offices of the Registrar and the Bursar. And on the assumption that all Nigerian Universities operate fairly similar structures and policies allowing of course room for local differences draw conclusions on the effects of the take over on Nigerian Universities.

CHAPTER 3

THE TAKE- OVER

CHAPTER 3

THE TAKE-OVER-HISTORICAL AND LEGAL ASPECTS

3.1 Historical Aspect - Early Take-over Attempt

The decision of the Federal Military Government to take over Nigerian Universities in 1975 was based on the Federal Government experiences over the past thirteen years (1962 - 1975). Before that year, several subtle attempts at controlling the universities had been made by the Federal and Regional/State Governments, but I shall confine myself to the Federal Government's attempts and only refer to Regional/State attempts when necessary. At the beginning, the Federal Government under the civilian regime had accepted the recommendations of the Asby Commission on Post-School Certificate and Higher Education in Nigeria that:

> "a university has to be insulated from the hot and cold wind of politices. Responsibility for its management must be vested in an autonomous council. The council must include representatives of the public, but these representatives must attend as individuals and not as agents for some sectional interest or party line"(14)

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14. Investment in Education: Ashby Report op cit 1960 p.25

This principle of non-interference in the university administration was so adhered to that when there was disagreement between the council and the senate in the University of Lagos over the appointment of the Vice-Chancellor of that university in 1965 and members of Nigerian Parliament urged the Federal Government to intervene, the Federal Minister of Education had this to say:

> "This parliament in its wisdom passed Lagos University Act 1962 and under that Act the provisional council (of the University) acting within its powers, takes certain decisions. No matter what one may feel about the decision of this council on the Lagos University, the Provisional council which is a statutory body, acting within its powers and having every right to do what it did cannot be challenged validly.(15)

Even though that stand of the regime as expressed by the Federal Government was against the advice of the National Universities Commission (N.U.C.) that the Federal Government should be represented on the Council of each Nigerian University, in view of its financial contribution to the capital and recurrent expenditures of each of these universities.(16) Federal Government yielded to the stand of the

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15. University of Lagos, change in Vice-Chancellorship, an official publication 1965 p. 28.
16. Federal Republic of Nigeria, University Development in Nigeria Report of N.U.C. Lagos Federal Ministry of Information 1963 p. 167.

Minister of Education. However, that stand could not be maintained for long, for, many attempts at controlling the universities were made shortly after. It is interesting to note that at no time before 1966 did the Federal or State Governments inquired into the general or financial running of the universities since they were set up between 1948 and 1962. Even though National Universities Commission was set up in 1962, its main function was to advise the Federal Government on the needs of the universities and also to share Federal Government block grants to the universities.

The first attempt to control the universities by the Federal Government was made after the January 1966 coup in Nigeria when entirely new members[17] were appointed for the Council of University of Lagos. Usually vacancies in the council are filled. An occasion where the term of office of all members will expire at the same time is unthinkable. New members usually meet old ones.

The second attempt was made after the Federal Military Government had attempted unsuccessfully to use unconstitutional methods to appoint a Vice-Chancellor for University of Ibadan. Following the opposition of University of Ibadan Senate to this subtle attempts by the Federal Government, the Federal Military Government amended the law of that university transferring the power to appoint and remove the Vice-Chancellor

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17. Vincent C. Ikke: University Development in Africa - the Nigerian Experience, Ibadan Oxford University Press 1976 p. 169.

from the university council to the Visitor (who by law is the Head of State and in that case was the Head of Federal Military Government); The amendment Edict[18] reads:-

> "...the Vice Chancellor shall be appointed or removed from his office by the Visitor acting after consultation with council". Amendment in the same wordings was made to the law of University of Lagos.

The third attempt was made in 1970 when the Federal Government accepted full financial provisions for the capital expenditures of the University of Nigeria, Nsukka. This became necessary because the money needed to repair damages inflicted by the civil war to that university was beyond the reach of the two states, then East Central and South Eastern States. In the spirit of reconstruction, resettlement and national unity the Federal Government decided to "take-over" University of Nigeria Nsukka in Decree No. 44 of 1973.[19]

By this action the Federal Government had extended its power of control in the administration of Nigerian Universities. Formerly it was only Ibadan and Lagos; this time a third was added, so that of the six existing universities then, three were already in complete Federal Government control.

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18. Amended by the University of Ibadan (Amendment) Decree 1972. University of Ibadan calendar 1976 - 1977 p. 36.
19. U.N.N. Calendar: University of Nigeria 1976 - 1978 Calendar p. 26.

It was only in the previous year (1972) that the Federal Government accorded Mid-West Institute of Technology full University status and it changed its name in that year (1972) to University of Benin.[20] And so the Federal Government control extended and this time to University of Benin though indirectly.

And finally the report of the Public Service Review (Udoji) Commission and the issuance of Federal Government white paper on it had resulted in the adoption of new unified salary grade structure and the new style public service. Salaries and conditions of service in the universities were accordingly harmonised with those in the Public Sector.

3.2 The Legal Aspects of the Take-over

Powers of the Visitor and A.B.U. Authorities as provided for in the existing law.

The A.B.U. (Transitional Provisions) Decree No. 22 of 27th August 1975[21] is a decree amending certain sections of the existing A.B.U. law as it affects the powers of the Visitor, the Council and the Senate and also as it affects the process of law enactment. Under this section, I shall explain the legal provisions that affected the powers of the Visitor, the Council and Senate before the take over. I shall further describe briefly the operations in the Vice-Chancellors office, Registry and Bursary Departments.

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20. Vincent C. Ike University Development in Africa op cit p. 20.
21. A.B.U. Calendar 1977/78 p. 30-31.

According to section 36 of A.B.U. principal law, the Visitor[22] is the highest authority to whom reference can be made in case of dispute on the interpretation of the law and the statutes and his decision on such matter is final. From the inception of A.B.U. to the creation of 12 states in Nigeria, the Governor of Northern Nigeria was the visitor to A.B.U. But after the creation of the 12 states section 7 of the principal law was amended and it provides that the Governors of Benue-Plateau, Kano, Kwara, North Central, North Eastern and North Western States of Nigeria shall appoint a fit person to be the visitor of the university. Regarding the power of the visitor the same section 7 of the law provides that he may, in addition to the powers conferred upon him by other provisions of this law direct a visitation to the university from time to time and in such a manner as he thinks fit for the purpose of ensuring the effective fulfilment of its objects. Statute Eleven section 2[23] further provides that the visitor can, like the officers of the university council or senate members, make proposal to confer an Honorary Degree of Master or Doctor in any Faculty on any person whom he may deem worthy of such a distinction provided that the holder of such an Honorary Degree shall not be entitled to practice any profession by virtue of the fact that he has not been admitted thereto.

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22. A.B.U. Calendar 1977/78 p. 36.
23. A.B.U. Calendar 1978/79 p. 522.

Below the visitor come the Federal Ministry of Education, the National Universities Commission and the Committee of Vice-Chancellors. But the National Universities Commission (N.U.C.) has existed since 1962 as a non-statutory Federal Agency for the coordination of university education. It originally reported to the Prime Minister as an arm of the Cabinet Office and was charged with the responsibilities, among others, of assessing the financial needs of the universities for both capital and recurrent expenditures and also for the allocation of the Federal share of these expenditures to the universities.[24]

Like the N.U.C. the committee of Vice-Chancellors[25] (C.V.C.) of Nigerian Universities is an informal body established in 1962 to provide a forum for Vice-Chancellors to discuss matters of mutual interest and acts as a channel through which joint opinion of the universities on any matter affecting education is expressed. Though it is a non statutory body, its opinion is respected by the government.

Of course, the legal powers of the Federal Ministry of Education are found in the legislative laws of the nation. It controls the educational policies, lays down and manages all educational programmes of the country. Below these you find the university council and I shall briefly explain the legal provisions for the council. Sections 14 and 15[26] of A.B.U. principal law make the council the highest

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24. N.U.C. 2nd Annual Seminar on Universities 29th-30th June 1979 pp. 1-2.
25. Commonwealth Universities Year Book 1980 Vol. 3 pp. 2319-
26. A.B.U. Calendar 1977/78 pp. 37-39.

policy making and governing body of the university with power to manage all matters not otherwise provided for by or under the law. I will now briefly describe the legal provisions for the sections of the law under the council which are relevant in the take over issue.

Section 16[27] of the law provides that the Council may delegate any of its powers or duties except the powers relating to the making, altering or annulling of statuses, to the chairman of council, the Vice-Chancellor, the Board of Governors of an Institute or other unit of the University established under this law or to any Committee appointed by the Council.

Section 3 of statute 3[28] provides for the appointment and removal of a Vice-Chancellor by the Council after considering the advice of joint Committee of Senate and Council and after consultation with the Chancellor.

Section 17[29] of the law provides for the appointment of Chairman of Council by the Chancellor on the advice of the Council. The Chairman holds cffice for 4 years but can be re-appointed.

Section 31[30] of the law sets out council power to make, amend and revoke statutes which shall be exercised with and by the consent of the Chancellor, the Council and the Senate.

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27. Ibid p. 39-40.
28. A.B.U. Calendar 1977/78 pp. 47-48, 39, 43.
29. " " " pp. 47-48, 39, 43.
30. " " " pp. 47-48, 39, 43.

Additionally sections 11 - 12 of statute 4[31] saddles the council with the responsibility of supervising all receipts and payments, directing deposits and investments, examining draft Estimates and determining the procedure for tendering and award of contracts.

Section 5[32] of the law permits the Senate to collect fees from the students; and to provide halls of residence, lecture halls and refectories for students and in section 20[33] which empowers the senate to direct and regulate the admission of student - in fact the Vice-Chancellor who is the Chairman of Senate Admission Committee can refuse to admit a student without giving reasons.

Section 12[34] of the principal law describes the Vice-Chancellor as the Chief Executive and Academic Officer of the University and who is the ex-officio Chairman of the Senate. His detailed functions are contained in section 5 of statute 3. I shall return to this when I come to treat operations.

Section 9 of statute 3[35] provides that the Registrar shall under the Vice-Chancellor be the Chief Administrative Officer of the University. The specific functions as authorized by the law will be discussed under operations.

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31. A.B.U. Calendar 1977/78 pp. 51
32. " " " p. 35
33. " " " p. 40
34. " " " p. 37
35. " " " p. 49

Finally, section 10 of the same statute provides for the Bursar as the Chief Financial Officer of the University subject to the directions of, and responsible to the Vice-Chancellor, I shall return to each of these officers when dealing with operations. The above were the laws before the take over. We will now examine which of these are affected by the take over.

3.4 A.B.U. (Transitional Provisions) Decree No. 22 of 1975[36]

Up to 1972, university education was on a concurrent legislative list of the Constitution between the Federal Government and the Regional or State Governments. A 1972 constitutional amendment by decree made university education an exclusive Federal concern, but the four states-owned universities (Nsukka, Zaria, Ile-Ife, Benin) were allowed the option of running as states institutions if they wished. For various reasons all the four had become Federal Institutions by August 1975. The provisions of the decree that made A.B.U. a federal institution are set out here under. The Federal Military Government made this decree in which:

1. section one of the decree suspended section 14 of the existing law and made the existence of a council called Ahmadu Bello University Council null and void.

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36. A.B.U. Calendar 1977/78 pp. 31-32.

2. section two of the decree established in the place of the suspended Ahmadu Bello University council, a provisional council and subjected it to the control of the Head of the Federal Military Government, re-appointing the chairman and members of the suspended council as chairman and members of the provisional council respectively.

3. section three of the decree amended sections 31 (council power of making, amendment, and revocation of statutes) and 16 (council power of delegation) of the principal law and introduced the proviso "except with the prior approval of the Head of the Federal Military Government.

4. section Four of the decree empowered the Visitor to amend any section of the Principal Law. This supports the illegality in the promulgation of the decree.

5. section five of the decree appoints the Head of the Federal Military Government as the Visitor to A.B.U. and vests in him the power to appoint the Vice-Chancellor.

By this action sections 3 and 4 of statute 3 had been annulled. The above then provides the legal provisions before and after the take over and shall be used as a model for evaluating the effects of the take over on A.B.U. administration policy and operational wise.

CHAPTER 4

EFFECTS OF THE TAKE_OVER ON EXISTING POLICY STRUCTURES

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4.1 Internal Structures and Management of Nigerian Universities

Universities vary in their organization and different countries have evolved different patterns. It is true to say that their structures are undergoing some changes and adaptations in most countries of the world. In France,[37] the University has become practically an arm of the Ministry of Education and the dons are, in effect, civil servants. In the United States of America, the structure reflects the "free enterprise" philosophy of the country and management is essentially in the hands of professional and permanent deans. In Great Britain which provides us with our proto-type in this country, the structure is such that ensures freedom of action for the academics within the wide parameters laid down by the state through the University Grants' Committee and their Council. The interplay between an essentially lay council exercising general overall financial control and a Senate that is supreme in academic matters is the hall-mark of the British System which was evolved in the London University and the British Provincial Universities (Birmingham, Manchester, Leeds, Liverpool and Bristol) rather than in Oxford and Cambridge - (Oxbridge) with their Collegiate System dating back to the middle ages. It is the "London System" that was transplanted

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37. Proceedings of the First Seminar on Professional Administration in Universities. July 14th - 19th 1975 p. 17.

after the Second World War to Angle-phone Africa and other British dependent territories in the Carribean under the aegis of the University of London Senate Committee and the Inter-University Council for Higher Education Overseas. For the sake of greater accuracy, it is important to state that the modern system of mixed government in British Universities with lay majorities of court and council and an academic Senate, was first formalized in the Constitution drafted for Owens College, Manchester by James Bryce in 1880.(38)

Now, the essential structural features of this (our) system are: a University Council which is responsible for finance and the control of the properties and policies of the University; a Senate, assisted by Faculty Boards or other specialized Committees which is the academic authority of the University; the Administration, Headed by the Vice-Chancellor who is assisted by the Registrar in general administration and the Bursar in finance; the Estate, Library and University Health Departments all provide supportive services. The Vice-Chancellor as the Chief Executive (and Academic Officer) is the link between the Council and the Senate (a permanent member of the one and Chairman of the other) and as the custodian of discipline, he also serves as the link between the students and the authorities of the University. In the words of Sir Charles Illingworth,(39) "the Vice-Chancellor plays many parts.

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38. Proceedings of the first Seminar on Professional Administration in Universities - Ibadan 14th - 19th July 1975 p. 18.
39. Sir Charles Illingworth: University Statesman 1971 p. 91.

He is the high priest of the hierarchy of teachers and students and the managing director of a large state-supported institute. In his own domain, he is the final arbiter of all academic policy, and in a wider field, he exercises a profound influence on the educational planning of the whole country".

The academic management aspect of University administration covers all the decisions about who shall be admitted as students; who shall be appointed to the staff; the Scheme, content and standards of Courses and the topics and methods of research; it includes the distribution of resources among departments and the pattern of development. It means policy decisions about these matters and the application of policy decisions to individual cases. The distribution of responsibility for those decisions is determined by the administrative structure of the University, especially the institution of the Senate, the departmental organization and the system of Senate Committees.

The above describes in broad outline the internal structure and management of Nigerian Universities as an adaptation of the British system. The details of the structures as they affect Ahmadu Bello University are set under.

4.2 Ahmadu Bello University Policy Making Structures

For the purpose of this study the policy making structures will be treated under two headlines, namely, external and internal structures.

4.2.1 External Policy Making Structures

The external structures are common to all Nigerian Universities. They make policies that affect all the universities in common, but attention will be paid to those common policies as they affect Ahmadu Bello University. These external structures are: The Federal Government Cabinet Office or Office of the Visitor, the Federal Ministry of Education, the National Universities Commission, and the Committee of Vice-Chancellors.

4.2.2 The Federal Cabinet Office - The Role of the Visitor

The cabinet office is the office of the Visitor who is the Head of Federal Military Government. The central figure around whom this drama of "change" in policy procedures in university administration revolves is the visitor of Ahmadu Bello University. The traditional concept of the visitor is that of a symbol that guards the interest of the institution and ensures that its objectives are carried out.(40) As pointed out earlier, the visitor is to conduct visitation on the recommendation of N.U.C.(41) and arbitrate on disputed issues referred to him. He can also make proposal to confer Honorary Degrees on those he thinks are worthy of such honour.

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40. A.B.U. Calendar 1977/78 p. 36

41. N.U.C. Annual Report July 1977 - June 1978 p.1

But the recent increase in the powers of the visitor resulting from the promulgation of decree No. 22 of 1979 calls for close examination to determine the effects of these changes on Ahmadu Bello University law and consequently the effects of the new role of the visitor on Ahmadu Bello University administration.

Visitor and the major elements of the A.B.U. Law. (Transitional Provisions)

Decree No. 22 of 1975 amended the following sections of the law and statutes with the following effect.

On the process of making, amendment and revocation of statutes:

(a) Amendment to section 31 and statute 3 (3)

Before the take-over the making, amendment and revocation of the statutes was with the consent of the chancellor, the Council and the Senate. But after the take over clearance must first be obtained from the visitor before the law can be amended in the normal process. The most important aspect of this amendment (section four of the decree) is that the visitor himself alone can, without consultation with any of the university authorities (officers, council, senate) amend the law he vests in himself (the visitor) the power to appoint a Vice-Chancellor whereas the law provides that the Council after due consultation shall appoint a Vice-Chancellor. This indeed raises the question of academic freedom and university autonomy (freedom from government control). Let us first define what academic freedom is so as to be able to determine whether or not it has been infringed. According to Robbins Committee on higher education,

On the Council, its functions and power of delegation:

(b) Amendment to section 14, 15 and 16

Provisions of these three sections establish the council with power to delegate and to manage all matters not otherwise provided for by or under the law. But the take-over decree suspends the council in sections 1 and 2 of its provisions and sets up a provisional council appointing the chairman and members of the suspended council as chairman and members of the provisional council. In section 3, the decree subjects council power of delegation to prior approval by the visitor.

By implication this simply means that Council cannot delegate its powers to its Chairman, Vice-Chancellor, Boards and Committees without prior approval of the Visitor. Put simply it means creating bottle necks in the running of the university committee system. As the council meets only twice a year it requires a machinery to perform most of its duties during the recess and this it does through its Chairman, Vice-Chancellor, Board of Governors and Committees. Not that the decree has deprived the council of its power of delegation, the problem is that it is frustrating to wait for clearance from Lagos on every function that the Council wants to delegate. University administration depends for effective functioning on Committees and that implies delegation. The university does not want its major decisions

to be taken by one person. For the policy issues, the council and senate committees deal with them; for the operational issues the administrative committees deal with them. So the power of delegation is crucial to the whole university system for the success of its operations.

Appointment of the Visitor and Chairman of Council:

(c) Amendment to Sections 7 and 17

The provisions in these sections are that the Governors of the Kano, Benue-Plateau, Kwara, North Central, North Eastern and North Western States shall appoint a fit person to be the Visitor; and that the Chancellor acting on the advice of the Council shall appoint a person whether or not he is a member of council to be the Chairman of Council for four years, but the Chairman may be re-appointed after his first term in office.

These sections have been amended by sections 5 and 2 sub-section 3 in which the Visitor appoints himself without reference to the aforementioned governors and takes over from the Chancellor the right to appoint a Chairman of Council without recommendation from the Council.

This clearly is an erosion of power of the governors the Chancellor and Council. The effects are that on the whole the policy structure has been changed and the Visitor has usurped most of the powers of the Chancellor, the council and senate. These authorities have been prevented from executing their duties. They have been rendered redundant and therefore frustrated. It does not only cause confusion and delay but also instability in the system as I have indicated above.

property and escalation of the crisis. Also severely criticised was the role played by some university staff or groups of them and individual students who through sheer callousness or brazen incitement fuelled the crisis and in some cases actually encouraged insurrection.

Based on the above findings the government approved the following disciplinary measures against the defaulters:

1. Professor Iya Abubakar of A.B.U. and Professor J. F. Ade Ajayi of University of Lagos were relieved of their posts as Vice-Chancellors.
2. The following students were actually punished: Mr. E. Appah the student leader, University of Benin, and students at Ibadan who deliberately drove a motor vehicle over the leg of policeman Adeogun resulting in its fracture at Ibadan.

All students in the various universities found to be directly guilty of kidnapping and assaulting policemen and of arson were expelled from their various universities forthwith but, Mr. Segun Okeowo, President of the banned National Union of Nigerian Students (N.U.N.S.) and Mr. Bukar Mbaya, President, Ahmadu Bello University Students Union (Main Campus), were expelled forthwith from their universities and not to be re-admitted into any Nigerian University for a period of two years.

The following university staff were relieved of their posts - Dr. Sogbetun, Director of Health Services, University of Lagos, Mr. Ebenezer Babatope, Students Welfare Officer, Dr. Bade Onimode, Dr. Wale Adeniran, Dr. Onoge, Dr. Akin Ojo, Comrade Ola Oni, all of the University of Ibadan. Comrade Laoye Oluwole Sanda of Ibadan Polytechnic

and Dr. and Mrs. Madunagu of the University of Calabar.[45]

The effects of the promulgation of A.B.U. (Transitional Provisions) Decree No. 22 had already been treated at the beginning of chapter three. The effect of transfers of the three Vice-Chancellors mentioned at page 35 is that all the three of them had resigned their appointment; infact one of them Dr. Mahmud Tukur who was transferred to University of Lagos resigned on hearing that he was transferred to Lagos. The other two had reported at their new stations but resigned at the expiry terms of office. As a result of this particular action of the Cabinet Office, all the three Vice-Chancellors had since resigned their appointments and it took a long time before new Vice-Chancellors were appointed to the affected universities. The effect was that administration in those universities were left in a state of expectation, anxiously waiting for a substantive Vice-Chancellor. Obviously decisions which could only be taken by Vice-Chancellors in those universities were delayed until they were appointed.

The decision to punish staff and students of the university is not in keeping with the provisions of the university law. The law stipulates that the council shall discipline its staff and the senate discipline the students. By taking over from the council and senate their statutory disciplinary powers, the government had rendered ineffective the powers of the Council and Senate. Therefore the new role the Visitor has to

play now in appointing visitor (himself), chairman and members of council, the Vice-Chancellor without reference to existing practice; and the fact that he can make new laws or amend existing ones without due reference to normal processes call for serious review.

4.2.3 Federal Ministry of Education

Before the take over, the Federal Ministry of Education concerned itself with formulation of policies on higher education and guidelines for their implementation. Policy decisions taken at the cabinet level during a civilian government or by the supreme military council during the military regime were usually routed through the Federal Ministry of Education. For implementing these decisions on higher education, and in particular, university education, a number of agencies are set up, such as:

(a) The Loans Board which manages the money set aside by the ministry for the purpose of helping needy students pursuing university education but do not qualify for scholarship. This board gives out the loan and arranges for its recovery.

(b) Scholarship Board disburses scholarships offered by the ministry to deserving students on the basis of laid down principles.

(c) National Universities Commission which in close association with National manpower Board and the universities monitor the activities of the ministry on higher education and in particular co-ordinates, developes and finances Nigerian universities.

The above outlines some of the major functions of the Federal Ministry of Education before the take over. But after decree number 22 of 1975 was promulgated, the situation changed. The degree of Federal Government control through the Federal Ministry of Education can only be illustrated with examples:-

In a circular letter[46] to all chairmen of university councils on students unrest, the then Federal Commissioner for Education Col. (Dr.) A. A. Ali wrote as follows:

> "The practice of closing universities only to re-open them a few days/weeks later are considered no more effective as a means of curbing students unrest and should be stopped. It has therefore been decided that hence-forth, without prejudice to the statutes that empower the council and senate to close and open universities, once a university is closed down as a last resort in curbing student unrest, it must not be re-opened until clearance has been obtained from the Federal Ministry of Education.

The letter went on:

> "I am in consultation with my colleagues in the states to apply the same measures to the Colleges of Technology under their jurisdiction".

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46. Official correspondence - circular letter from F.M.E. Commissioner's Office S.M.E. 546/159 of 11 May 1976.

Another example is an administrative procedure. Even though A.B.U. had no need for dictation from Federal Ministry of Education, but to demonstrate ministry's degree of control over A.B.U., the same Federal Commissioner for Education issued the following directive on holding of meetings during emergencies:

> "Consequent on the Government announcement about closure of universities of Lagos, Ibadan and A.B.U. I will like to confirm that all other university activities such as faculty meetings, senate and council meetings etc. will continue normally as this has been the practice in the past when universities are closed".

This letter was copied to Vice-Chancellor of Ahmadu Bello University for implementation. With the evidence from the two letters quoted above it was clear that the ministry was involving itself directly in internal university administration instead of passing its instructions through the National Universities Commission (N.U.C.). which was set up to manage Universities on behalf of the Federal Ministry of Education. The implication of such direct intervention was the application of civil service rules to university administration where the structure and management are different and require different approach.

4.2.4 The National Universities Commission - (N.U.C.)

National Universities Commission (N.U.C.) established in October 1962 was reconstituted into a statutory body by National Universities Commission Decree No. 1 of 15th January 1974.(47) The present Commission consist of a chairman; seven members from the Universities representing Agriculture, Forestry and Veterinary Sciences, Engineering Science, Basic Sciences, Humanities, Medical Science, and Social Sciences; four Permanent Secretaries from Ministries of Education, Finance, Economic Development and Health; six members appointed on individual merit on nation wide basis to represent Commercial, industrial and professional interests; the Executive Secretary who shall be the Ex-officio member but shall not have the right to vote.
See appendices II and III on pages.

N.U.C. Policies before the Take-over

Prior to 1975 though university staff conditions of service were generally regulated by the government through provision of funds and general national policies on salaries and wages, the council of each university had the rights to provide certain benefits. However, with the mandatory adoption by all public bodies of the Udoji-Williams salary levels university staff have

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47. NUC Annual Report July 1977-June 1978 p.1

become integrated with the national salary structure and general conditions of service. Increasingly, more than ever before university staff have come to be regarded as public servants, at least, for the purpose of the financial rewards for their services. Therefore N.U.C. policy on staff conditions of service including salaries and wages in the university is a reflection on the general national policies on wages and salaries and conditions of services for workers in the country. Where there are departures in establishment matters these will be treated under the Registry Department. But on financial matters, in addition to its other duties, the N.U.C. assesses the financial needs of the universities for both capital and recurrent expenditures and allocates the Federal share of those expenditures to the universities. In order to carry out this function of allocation of federal share to the Universities N.U.C. adopted at first two formulae. The formulae were 50% and 30% Federal Contribution respectively to the capital and recurrent expenditures of the states universities (Benin, Ife, Nsukka, Zaria) and full (100%) Federal provisions for the Federal Universities (Ibadan and Lagos).

This formula was modified in two cases by the Federal Government. The first was in respect of A.B.U. starting in 1968 when the Federal share of its N.U.C. determined expenditures was increased to 75% for both capital and recurrent expenditures.

Although the N.U.C. had responsibilities for advising the Federal Government on the financial needs of each university, legally, it could not influence the amount of money allocated to any state university by its government. The states could provide more or less than what the N.U.C. recommended. Indeed, states tended to provide more funds to their universities for capital development than the N.U.C. was willing to recommend. However, N.U.C. recommended operating funds were usually higher than what some states could afford. For A.B.U. it is a fair statement to make that between 1962 and 1968, Federal Government contributed 50% and 30% respectively to capital and recurrent expenditures. Between 1968 and 1975 the Federal Government contributed 75% each for capital and recurrent expenditures. As from 1975 to date it contributes 100% each for N.U.C. approved capital and recurrent expenditures.

N.U.C. Policies after the take-over

Since the 1976/77 Government fiscal year, the relatively abundant provisions up to 1975 has given way to a greatly miminished level of funding and tightening financial constraints. This was due to unexpected short fall in oil revenue and biting inflation that had affected all phases of our economy. The effects have been that the promise of greatly subsidized university education by the provisions of scholarships, loans and very low cost student room and board have

been threatened and abandoned as Federal Government Policies, therefore N.U.C. has adopted the following new policies to contain the problems created by lack of funds:

(a) Students Board and Lodging Charges

The Hostel accommodation and feeding charges have been revised upwards from ₦150.00 per session to ₦468.00 per session as an interim measure. The long term solution to this is that as the Federal Government has agreed to pay ₦1.00 subsidy per student per day, and this is to be paid separately at the beginning of each session, universities are to work towards progressive disengagement from financial and administrative responsibility for student accommodation and feeding. Students should be responsible for the organization of their Cafeterias. University of Ife has taken the lead in this by establishing "University of Ife Students Catering Service Management Board to look after student feeding. A.B.U. is yet to start.

(b) Hostel Accommodation

Consequent upon the low level of funding at the disposal of Universities, the N.U.C. has directed that no further hostel accommodation should be built in any university that had attained the target of 3,330 units, that is, one-third of the projected peak enrolment of 10,000 unless there was a directive from government to the contrary. Additionally, one of the policy statements

contained in President Shehu Shagari's address at the 31st Convocation Ceremony of University of Ibadan was the provision of off campus accommodation for students by establishing "statellite villages" near existing Universities by means of building low cost houses for rental to students.(48) The new system he said would make it possible for universities to increase intake. Already letters have been issued to Vice-Chancellors of the Universities appraising them about the programme and requesting them to pursue with vigour the allocation of suitable land from state governments. With the cooperation of Vice-Chancellors and the state governments, the low cost houses will be made available for students in the 1980/81 academic year.

(c) Alternative Sources of Funding

(i) Endowment Fund

In addition to funds to be made available by the government for expansion programmes, universities are encouraged to float Endowment Funds. In this connection President Shagari's administration has reversed the decision of the previous administration by deciding to contribute to Endowment Funds launched by universities. Accordingly the Federal Government has approved that the Federal Ministry of Education should donate to A.B.U. the sum of ₦400,000.(49) By taking this decision, the government is

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48. NUC Bulletin Lagos Nigeria Vol. II 1979
49. NUC " " " Vol. II 1979 p.

conscious of the need to ensure that universities have alternative sources of funding their activities beside the annual subvention from government. Before the take-over, A.B.U. had no need to float an Endowment Fund Scheme because money was coming into the University from many sources such as the governments of the Northern States of Nigeria, foreign governments outside Nigeria for various specialized schemes, foreign association and agencies, in addition to Federal Government subvention. But after the take-over the Federal Government became the only source of funding the university. Whatever funds came from outside was channelled through the Federal Government and such funds did not help to increase the finances of the university rather Federal Government subvention to the University was reduced by the amount of outside help received on behalf of the university.

(ii) Revenue-generating Projects

Hitherto, certain service centres were run on non-commercial basis and the university provided funds for maintaining these service centres. Such centres include the University Guest House, the Press, the Bookshop, University Staff School and Bus Services (heavily subsidized).

But now, the Bookshop and the Press have become limited liability companies run on commercial bases and they are autonomous units self sufficient in the strictest sense. Though the Guest Houses and the Bus services are still subsidized they will soon go commercial.

The reason for this observation is that the rates for fees chargeable are being revised upwards and inspite of these constant revision, the university is finding it still difficult to continue to subsidize them in view of the deteriorating university finances.

(iii) Tuition fees

Before the take-over, every student in the university, including government scholars, had to pay fees. But after the take-over the N.U.C. appear to have adopted a discriminatory policy for while the undergraduate courses in the university are tuition free, graduate and foreign students pay higher fees than before. For Nigerian graduate students the tuition fees range between $471 and ₦571. For the foreign undergraduates their fees range between ₦500 and ₦1,000 and for the graduate foreign students the range is between ₦700 and ₦1,250 depending on the course taken. In addition to the specific cases outlined above the following had been adopted by the N.U.C. as financial policies since the take-over.

(iv) Financial Policies after the take over

1. The only capital projects that would be funded would be those that have been accepted by the commission.
2. Capital grants for the first quarter is to be released in advance but subsequent releases for the year would be based

upon returns of performance. Any university that defaults in making returns by more than 3 months might have to forfeit its capital grants.

3. Universities are hence forth to give car loan to staff through bank loans.
4. University councils should not approve a deficit budget unless it was planned to show how the deficit would be eliminated.
5. Every university is to have an accounting manual.
6. Every university must have internal Audit Unit headed by professionally qualified Accountant of not below Grade level 12 who will be directly responsible to the Vice-Chancellor.
7. Audited accounts of the universities must be submitted to the commission not later than 3 months at the end of each financial year and the present backlog on auditing to be finished at the end of 1978/79 financial year. Failure to send regular financial returns in the case of capital projects could lead to a lapse of capital grants.
8. Centralized purchasing and supplies system is to be introduced in every university and where this had been done already, accounting should also be decentralized to monitor spending patterns.
9. Promotion to unestablished post to be discontinued immediately.

The universities have been instructed to implement these policies without delay. The effects of implementing these instructions are far-reaching. In A.B.U. it has led to the employment of a professional internal auditor and complete overhauling of the university accounting system. Another change is that the new system has forced the university to decentralize the accounting system in the centralized Purchasing and Supplies department to the component units to monitor spending patterns. And finally, it has encouraged the University to employ a professional Accountant as the Bursar.

4.2.5 Committee of Vice-Chancellors of Nigerian Universities.(50)

The Committee of Vice-Chancellors of Nigerian Universities is an informal body established in 1962 by a resolution adopted at a meeting of the Vice-Chancellors and principals of the five Nigerian Universities held in October, 1962, at University College, Ibadan (now the University of Ibadan). It was modelled after the U.K. Committee of Vice-Chancellors and Principals and received its initial grant for its establishment from the Carnegie Foundation of New York.(51)

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50. Commonwealth Universities Year Book 1980 Vol. 3 pp. 2318 - 2319.
51. V.C. Ike: University Development in Africa, the Nigerian Experience Ibadan - Oxford Press 1976, p. 217.

The aims of the Committee are:

(i) to provide a forum for Vice-Chancellors of Nigerian Universities to discuss matters of mutual interest;

(ii) to act as an informal co-ordinating body among the universities in Nigeria;

(iii) to act as a channel through which the joint opinion of the universities on any matters affecting education is expressed;

(iv) to offer advice to government and university governing councils on matters of general concern to the universities.

Membership: The Committee is composed of all the Vice-Chancellors of the universities in Nigeria. When the Committee was established in 1962, it had five members. Membership now consists of the Vice-Chancellors of all the thirteen universities in Nigeria. A chairman is elected from among members and the term of office for the chairman is one academic year. The current chairman is Professor E. A. Anyadele, Vice-Chancellor, University of Calabar.

Meeting: The Committee meets five times in an academic session (October - June) to discuss a number of issues affecting the universities. The meetings also provide the Vice-Chancellors with opportunities for personal contact and informal exchange of views and experience. Meetings are held usually at the University of Lagos, but occasionally they are held in other university centres at the invitation of the universities.

There is also provision for special meetings, usually at the request of members, to consider issues that have a significant impact on the affairs of the universities and need urgent attention as it did when it became necessary for the universities to submit memorandum to the Public Service Review (Udoji) Commission in 1973.

Sub-Committees: The Committee appoints ad hoc sub-committees of its own members and other university staff to examine specific matters affecting the university system and to make necessary recommendations to the Committee.

The Committee has, however, three standing sub-committees:

(a) the sub-committee of establishment officers, consisting of establishment officers of all the Nigerian universities, whose function is to advise the Committee on staff industrial matters, wages, salaries and conditions of service;

(b) the sub-committee on the Commonwealth Scholarship and Fellowship Plan, which is responsible for the placement in the Nigerian Universities of postgraduate candidates for Nigerian awards under this Plan;

(c) and the sub-committee on conditions of service, which is charged with the responsibility of reviewing terms of service of university staff. Senior Staff Superannuation Scheme for Nigerian Universities resulted from the work of this cub-committee.

Conferences and Seminars: The Committee organizes and sponsors conferences, seminars, workshops and training courses on higher education in Nigerian Universities.

Secretariat and Finance: The activities of the Committee of Vice-Chancellors and of the secretariat are supported by contributions from the thirteen universities. The rates of contribution are fixed by the Committee from time to time.

Staff: The secretariat has an executive secretary, and three other staff.

Though an informal body with no authority to enforce its decisions or recommendations on any university, yet it could and does speak officially on behalf of Nigerian University education as it did when it submitted its memorandum to the Public Service Review (Udoji) Commission in 1973, its pronouncements on university matters carry understandable weight with the Government. Its achievements over the years include:(52)

(a) recommendations on procedures for centralising applications for admissions to the Universities which had led to the setting up of J.A.M.B.

(b) its work on Scholarships developed into a study conducted by the Ford Foundations of America in 1974 of the need for and feasibility of establishing what today is known as Students Loan Fund.

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52. V. C. Ike: University Development in Africa, the Nigerian Experience, Ibadan - Oxford Press 1976 p. 218.

(c) Standardization of the university calendar, fees and increase in the number of class works.

But after the "take over", the Committee of Vice-Chancellors had increased its importance as a bargaining force in the interest of the Universities. It became the negotiating machinery between the government and the universities. For example, on 18th September, 1976, Lt. General Olusegun Obasenjo, then Head of Federal Military Government addressed Vice-Chancellors and Principals of Universities and University Colleges on a number of thorny and delicate issues affecting the nation and the universities. In brief the issues raised in the Head of State's speech included:

i. admission into Nigerian Universities, especially as it affects candidates from the educationally disadvantaged areas of the country;

ii rationalisation of administrative machinery and procedures with a view to achieving maximum economy and efficiency;

iii need for economy in physical development so as to make building projects more functional;

iv need for general re-appraisal of courses of study to achieve greater relevance and remove the inbalance between the humanities on the one hand and science and technology on the other hand.

v specialisation by each university to become a centre of excellence in at least one area of study.

vi desirability for establishing a National Council on Higher Education;

vii tackling problems of student unrest by allowing for greater student participation in university administration in issues concerned with their welfare and discipline;

viii allegation of maladministration, malpractices and nepotism in university administration;

ix the role of universities in national security, and

x succession to headships of universities, that is appointment of Vice-Chancellors.

Considering the issues raised[53] - admission, infrastructure, re-appraisal of courses of study offered to remove inbalance between humanities on the one hand and science and technology on the other hand, as outlined above the importance of Committee of Vice-Chancellors cannot be over-emphasized. Even though theirs is a non statutory body the issues they tackle are crucial to university development and stability.

Again on 21st December, 1977 the then Chief of Staff, Supreme Headquarters, Brigadier Shehu Yar'adua delivered a speech on the[54] Government - University Relations at Bagauda Lake Hotel, Kano at the opening of the First Annual Seminar of Committee of Vice-Chancellors

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53. Minutes of the Special Meeting with the Head of State at Doddan Barracks on 19th September, 1976 p.2.

54. First Annual Seminar of C.V.C. address by Brigadier Shehu Yar'adua on Government/University Relations at Bagauda Lake Hotel Kano 21st December, 1977.

which read in parts:

> "..... the government expects the universities not only to train and send out the right type of man who will enrich out society by contributing significantly to its moral and intellectual well-being and development but also to produce the highly skilled manpower necessary for the execution of our development programmes."

With this at the back of its mind the Federal Government accepts responsibilities towards the universities by spending public funds in the establishment and maintenance of universities. In turn the universities themselves must recognise their reciprocal responsibilities to the Nigerian society and development.

The Government knows quite well the role Vice-Chancellors play and this is why these important issues were raised with them. The implication of the take over on their role is that they constitute a formidable check and balance in the new system and therefore government take over can hardly be described as complete or total; infact the Committee of Vice-Chancellors is a great check on the Federal Government in this respect. The Federal Government knows quite well that it needs the cooperation of the Vice-Chancellors. As academic and administrative executives the Vice-Chancellors must hold on to what they know is right. The 1979 Federal Constitution of Nigeria has placed Higher Education on the concurrent list. States now are free

to establish universities of their own and already some states, for example, Imo and Bendel States have announced their intention to do so.

When this becomes a reality then the policy making structure shall undergo some changes. I believe such changes will affect the policy and operational structures of the existing universities and should provide areas of investigation for research workers.

4.3 Internal Policy Making Structures

4.3.1 The Council

The internal policy-making structures of the university include the Council, The Senate and the Faculties and Departments. The Council is the most important body since it is responsible for controlling the finances of the university and has the major policy making powers. In consultation with the Senate, it appoints the Vice-Chancellor and approves all other academic appointments.

The Ahmadu Bello University Law[55] part III sub-section 14 and 15 makes the Council the highest policy making and governing body of the University with power to manage all matters not otherwise provided for by, or under the law. It meets twice yearly, usually in May and in November or early December. The current members of the Council are set out under table 6 of Appendix IV. The majority of the members

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55. A.B.U. Calendar 1978 - 1979 p. 499.

is appointed by the Federal Government from outside the University "the so called lay members" - and a minority is composed of members of the academic staff always including the Vice-Chancellor.

Council Committees

As the Council meets only two times in the year, it is imperative that a mechanism be evolved to discharge its functions and this it does through council committees which are six in number (see page 122).

All but Development Committee are headed by the Chairman of Council. Development Committee is headed by the Vice-Chancellor. Decree No. 22 of August, 1975 taking over A.B.U. has reduced the policy-making power of the Council. This is clearly stated on the section dealing with the decree. (See pages 34-35)

At present, the Council cannot make or amend any part of the principal law without consulting the Visitor. It cannot by itself decide how much should be spent by the university and on what programmes; it is the government that decides through NUC how much should be earmarked for capital and recurrent expenditures. The Council can only give approval to operations within the target set by government; targets are no longer set by the council.

The pertinent question to ask here is - is the council now redundant? Should it be scrapped? My immediate reaction to the first question is that it is not redundant even after it had been deprived of so much power. For one, it still serves as a check on

reckless spending which could have been made were there no council. Experience has shown that usurpation of councils' power by the Visitor as a result of the take over has not led to any improvement but deterioration in university administration. For example, as I said in chapter three in connection with Law Enactment, the new process causes a lot of delay. The Council can no more take on-the-spot decisions on pressing issues and delicate issues can escalate into unmanageable proportions as was the case during the 1978 Emergency in Nigerian Universities when student disturbances were of great concern to the whole nation.

4.2.2 The Senate

Subject to the provisions of A.B.U. Law and Statutes and subject also to control by council in all matters affecting the finances of the University, the Senate manages the educational affairs of the University and acts for the University in all academic matters. The Senate is the body responsible for all academic and discipling of students. The Heads of Departments are usually accountable to the Senate for the performance of their departments - teaching and research duties.

The Senate is composed of Vice-Chancellor as Chairman, Deans of Faculties, Heads of Departments, Colleges and Schools; Professors in the University, Deputy Vice-Chancellor, the Registrar, the Librarian

and Directors of Institutes and Centres. The Senate has power:[56]

(a) to direct and regulate the admission of students and the teaching and instruction within the university and the examinations held by the university subject to the powers of the Council as defined earlier in this section. It shall in the case of examination for degree appoint at least one external and independent examiner;

(b) to promote research within the university;

(c) to confer degrees (other than honorary degrees), diplomas, and certificates;

(d) to report to the Council on all statutes and ordinances or proposed changes in them;

(e) to deprive any person of any degree or diploma of the university which had been conferred upon him if he is guilty of dishonourable or scandalous conduct in the obtaining of such a degree or diploma.

The smooth and effective working of a University requires the cooperation of the Council and Senate.

The Senate like the Council operates a committee system (see chart and table in the appendix.pages 122 + 132 I have already referred to A.B.U. Council committee system. The Chairman of Council is also Chairman of the two Council committees and the four joint council and senate committees. This structural arrangement is lopsided as the personality of the chairman of council is felt throughout the six committees.

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56. A.B.U. Calendar 1978/79 p. 503.

The effect of the take over on the committee system is that the powers of these committees are substantially reduced. For instance new academic programmes that require funding can only start if it is approved by N.U.C. University appointments and Promotions are guided by the Academic Plan approved by N.U.C.; available funds for minor developmental programmes are pegged. The take over in this regard is seen as an advantage to orderly development and economic utilization of scarce resources, the disadvantage of delay notwithstanding.

4.3.3 Faculties and Departments

In Ahmadu Bello University between the Senate and the Departments is interposed what is known as the Faculties. The faculty is a means of co-ordinating the departments whose works are closely related or who may share students with one another in order to promote teaching and research. This system is a replica of the British model described at the beginning of the chapter - see page

A.B.U. has eleven faculties and sixty seven departments, seven institutes, eight centres and a School of Basic Studies. (See Chart A at the Appendix pages).

The departments are groups of teachers and sometimes research fellows in a single subject with a head who is usually although not always a professor, generally appointed by the Vice-Chancellor or,

where there is more than one professor, holding office in rotation. This is the normal basic unit of academic organisation where teaching and the use of research facilities are primarily worked out. The head of department is expected to lead his team but they too contribute their experiences and ideas in shaping of departmental policies.

The faculty where the teaching and other activities of the departments are coordinated is normally composed of a group of related departments. Proposals generally come from the departments to the faculty board, although they (proposals) can also be initiated at the faculty level, in which case, departments normally have the opportunity to consider them before the faculty board takes a decision.

The Faculty Board contains the Dean of the Faculty as the Chairman, Vice-Chancellor, Deputy Vice-Chancellor, the appropriate Director, all fulltime teachers teaching courses provided by the faculty and such other persons the board may decide (with approval of Senate) can usefully contribute to the progress of the faculty. The main function of the faculty board is advisory and co-ordinative between the departments and the senate on all academic issues.

Thus, the basic components of A.B.U. academic affairs especially teaching, that is, curriculum planning, conduct of examinations, award of certificates and conferment of degrees - are handled by the departments, faculty boards and the senate, with the general flow of proposals upwards towards the senate, but sometimes the proposals flow the other way round.

Inspite of the take over, the faculty policy process as outlined above remains basically the same but with the modification that creation of new and expansion of existing academic programmes are limited by the low level of funding by Government which hits not only A.B.U. but all Nigerian Universities in general. It is in the area of operations that the take over has seriously affected the departments and faculties and this will be dealt with in chapter five.

CHAPTER 5

EFFECTS OF THE TAKE-OVER ON EXISTING OPERATIONAL STRUCTURES

EFFECTS OF THE TAKE-OVER ON EXISTING OPERATIONAL STRUCTURES

If we take "government" to refer to the structures for making decisions on policy matters and "administration" to refer to the implementation of policies and the handling of day-to-day matters, it is impossible completely to separate these elements in a university context. This is so because often policy decisions emerge from committee decisions of individual cases of appointments, promotions, study-leave and such others. In its general application, university administration refers to the whole spectrum of committee structure, faculty and Institute boards. Even if the term "administration" is applied narrowly so that the distinction refers to those who implement rather than those who make decision, one has still to take account of administrative functions performed by the academic staff. In addition to performing academic functions, Deans of Faculties, Heads of Departments, Directors of Centres, Institutes and Research Departments/Units provide academic leadership as well as carry out considerable administrative duties. This section deals with the operational structures which include operations in the office of the Vice-Chancellor, Academic Departments, Registry and the Bursary. It deals with specific functions of each of these offices and how these have been affected by the take over.

5.1 OFFICE OF THE VICE-CHANCELLOR

The Vice-Chancellor is the Chief Executive and the Academic Head of the University. He is a member of Council and the Chairman of Senate. In his own right as "the high priest of the hierarchy of teachers and students he is the final arbiter in all academic matters and exercises a profound influence on the educational planning of the whole country". In particular A.B.U. Vice-Chancellor:

(a) Oversees the office of Provost for Agriculture and Veterinary Medicine and also oversees the planning and development aspects of Development Office.

(b) Academic Duties: He is responsible for academic administration of the faculties, Professional and Academic Boards, appoints heads of Departments and Institutes.

(c) Non Academic Administration: Responsible for allocation and renting of staff housing on recommendation of Estate Department. He oversees twenty-one administrative Committees and manages staff and student strength of over twenty thousand.

(d) Students: Gives orientation and matriculation talks, attends opening and closing of students Parliaments, advises student union Executive and appoints Hall and Deputy Hall advisers.

(e) Capital Development: Responsible for the capital development of the University and advises the Development Committee of the University and the Federal Government on the requirements for A.B.U. capital programmes. Responsible for the development of Lagos Office.

(f) Relationship with outside Bodies:

Maintains relationship with:

Ford Foundation of America, the Africa-American Institute, Inter-University Council - London, Pol Service, UNESCO/UNILEF (Institute of Education) Netherlands Technical Assistance in Department of Parasitology and Entomology of Faculty of Veterinary Medicine). U.K. Technical Assistance, British Council, and Zaria Area Security Committee chaired by the Zaria Local Government Secretary.

But the take-over has affected the following functions/powers of the Vice-Chancellor -

i Before the take over the Vice-Chancellor established linkages between the departments and the outside bodies as in (f) above, but after the take over linkages with outside bodies are routed through NUC. It was quicker to deal directly with the outside body than through a third party - the Federal Government's delay in some cases lead to frustration and eventual abandonment of certain schemes, for example, the car loan scheme which has grounded due to unnecessary delays.

ii Before the take over the Vice-Chancellor directed capital development of the University. It was usual for him to lay bear his programmes before the then Northern Nigeria Government or ICSA which usually approved such programmes with sometimes additional funds. But after the take over, development programmes are directed by the NUC. The practice now is that unless NUC approves a programme, no matter what advice the Vice-Chancellor offers such a programme cannot take off. Infact some on-going projects have been frozen. This is why the new building for the University Press has been suspended. Vice-Chancellors' power of directing development programmes is limited by the take over.

iii Equally, his responsibility for academic administration of the faculties is impeded. Before the take over, new academic programmes were introduced subject to Senate approval. But now, the Federal Ministry of Education can impose a programme on the University. An example is the introduction of the new local government programmes with a view to awarding certificates, diplomas and confering higher degrees in what was Department of Research and Consultancy but now renamed Department of Local Government Studies at the Institute of Administration. But for the take over, a Head of Department could not have concluded arrangements with Federal Ministry of Education to introduce a new Programme and Department without going through the Senate of which the

Vice-Chancellor is the Chairman. Directly the take over has interfered with academic administration of the Faculty of Administration. By implication, the Federal Ministry of Education has appointed a new Head of Department and in this case, a new Head for the new Department of Local Government Studies. The Vice-Chancellors power of appointing a head of department and his power in Senate of approving new academic programmes have been eroded. What is interesting about this case is that it did not even go through the NUC which is now invested with the power of approving all new academic programmes.

iv The Vice-Chancellors' non Academic Administrative power had also been interfered with. A good example of this is the implementation by the Federal Government of Justice Mohammed's recommendations on the Nigerians Students Crisis of 1978 without reference to Senate or Council of the different universities concerned. The Vice Chancellor is charged with the responsibility for students conduct in the university but the A.B.U. Students involved in the crisis were disciplined by the Federal Government without reference to the Vice-Chancellor. I do not quarrel with the punishment meted out to students for bad behaviour, but I disagree completely with the way it was done. I maintain that the report should have been submitted to the Senates and Councils of the different Universities to deal

with student misconducts. In this respect, without the take over the Federal Government could not have seized the powers of the Vice-Chancellors and their Senates and Councils and acted the way the Federal Government did.

v Lastly, the Vice-Chancellor used to be the Chairman of the Board of Governors of all Research Institutes in A.B.U, but with the take over the Ministry of Science has set up Research Institute Management Boards with full time Chairman for other Research Institutes. Already in A.B.U. such a Board has been set up with the Vice-Chancellor as Chairman but he cannot be there for long for such boards require full time chairman. The change is not bad, but it must be recognised as one of the ways the take over has robbed A.B.U. Vice-Chancellor of power.

5.2 ACADEMIC DEPARTMENTS

The main functions of the academic departments are to teach and organize research. In order to achieve these the departments recruit their staff through University Appointments and Promotions Committee and select their own students through their admissions Committees. In addition to these academic functions, the heads of academic departments carry out considerable administrative duties which include registration of students, the detailed organization of courses, the allocation of space and facilities to members of staff,

the numerous daily problems as well as such university committee work. Deans have to supervise arrangements for faculty board meetings though faculties have the assistance of administrative staff from the Registry, such a staff only assists, but does not substitute for deans. It is a common feature of A.B.U. to have a sub-dean who deputises for the dean during the dean's absence from the faculty.

Since the take-over selection of students has been taken over by JAMB. It is true that the departments still have hand in the selection of students because their admissions committees still meet and screen applications for admission, but the final selections remain with JAMB.

But with the return to Civilian Government in the country, efforts are being made to keep JAMB as a clearing house only in matters of student admission to the Universities.

Other functions of the Departments remain the same, limited only by the level of findings available.

5.3 REGISTRY DEPARTMENT

The Registrar, by statutory provision is the Chief Administrative Officer of the University and is responsible to the Vice-Chancellor for smooth administrative functioning of the university.

A.B.U. Registrar:

(a) Has custody of the common seal and is responsible for affixing the seal on documents.

(b) Arranges for the conduct of examinations.

(c) Acts as Secretary to, and is responsible to the Vice-Chancellor for executive action arising from decisions of the Council and the Senate.

(d) Responsible for the strong room and its contents.

(e) In charge of convocation arrangements.

(f) Responsible to the Vice-Chancellor for the following:

i) the management of Intermediate and Junior staff Affairs;

ii) the welfare and discipline of staff and students;

iii) the day to day running of the university.

(g) Sits in attendance in all committees of council and Senate and some Administrative Committees.

(h) maintains relationship with other universities;

(i) co-ordinates admission of students;

(j) responsible for the production of official publications of the university and monitors activities of the University through the University Bulletin and the Press.

Functions of the Registrar affected by the take over include:

(i) Admissions of Students:

Before the take-over, the departments selected their students through University Admissions Committee while the Academic Office co-ordinates and issues letters of admission. After the take over, the admission exercise is now in the hands of JAMB. This arrangement is not favourable to A.B.U. for the following reasons -

(a) JAMB concerns itself with placing direct entry candidates and those seeking admission through JAMB entrance examination into first degree programmes, and therefore does not cover admission of School of Basic Studies (SBS) candidates from A.B.U. Where do these candidates go especially as some of the universities in the country do not recognise successful completion of School of Basic Studies programmes and passes in the prescribed examinations for direct entry into first degree programmes?

(b) Now that the Federal Government had instructed JAMB to reflect the Federal Character of the nation in its admission policy the interest of the catchment area of the university is not catered for again. Since universities were originally established to serve the interest of the area in which they are located, it becomes difficult to reconcile this with the present JAMB policy.

(c) Before the take over A.B.U. used to spend thousands of Naira advertising in the Dailies available vacancies for first degree programmes, but after the take over it is JAMB that now advertises. This change is in the interest of A.B.U. for now it can save the amount of money it used to spend on advertising.

(d) Now that JAMB is handling Admissions, there is considerable delay due to communication problem because Lagos is far away from A.B.U. This arrangement makes the university start its programmes late.

(ii) Management of Intermediate Staff

For all intents and purposes, all intermediate members of staff in A.B.U. were not regarded as senior staff before the take over and even after the take over A.B.U does not recognise them as senior staff. The problem is that in the Civil Service this category of staff is recognised as senior staff. With the take over this idea has been introduced to our Intermediate Staff with the result that they constitute themselves into a pressure group and ask for their rights like housing, car loans and other fringe benefits as senior staff which A.B.U. is not willing to concede. This class constitutes the bulk of those who resign to join the public sector and create personnel problem for A.B.U. at the intermediate level. The secretarial cadre is almost fading out in A.B.U. for all of them want to become senior staff. They either join the executive cadre as Executive Officers or go for this or that course to qualify them for

executive cadre. This problem is created by the take over. This problem created for the Registry by the take-over is not peculiar to A.B.U. alone but is experienced by all other universities in the country.

(iii) Management of Junior Staff

Similar to the above problem but not exactly like it, the adoption of common conditions of service and salary structure throughout the public Sector and in the universities due to the take-over has created another problem for the Registrar. Since the take over, the Federal Ministry of Establishment and Federal Ministry of Education are in the habit of sending circular letters to this university for implementation. Most of these circulars cannot be adopted here without creating confusion for example, like new grades of salaries for Telephone Operators. Government Telephone Operators had to pass through one kind of in-service training or the other in telephone operation, but it is not so with most of A.B.U. telephone operators. How can the new grades of salaries be adopted without reference to salary and experience, yet our Junior Staff are insisting that the circular letter be implemented. The Registrar's prerogative to determine the functions and remuneration for this category of staff is eroded and this is due to the take over.

(iv) Annual Leave arrangements

It is unfortunate that the take over has forced A.B.U. to adopt Civil Service leave period of 30 days. Before the take over A.B.U. operated a 56 day leave period and this was to give sufficient rest to the academic staff who are brain workers.

The implication is that being not satisfied with the 30 days, casual leave that was not known among the senior staff is now being employed and usually three or four casual leave periods taken in a year usually make up for the last 26 days.

Nowadays you hardly find workers on seat after 2.30 p.m. which was the former closing time. Shorter leave period coupled with extension of closing time from 2.30 p.m. to 3.30 p.m. daily has created a lot of problems for the administration to arrange to cover schedules of work for the absent staff who must have to move out for one reason or the other.

5.4 BURSARY DEPARTMENT

Like the Registrar, the Bursar, by statutory provision is an officer of the university who advises the Vice-Chancellor and University statutory bodies on financial matters. The Bursar is responsible to the Vice-Chancellor for financial policy and financial administration of the university and its constituent units for planning, budgetting and supervision. These responsibilities include:

(a) The establishment of rationale and well-conceived base for the preparation of quinquennial and annual estimates subject to the general guidelines laid down by the university council, but after the take over it is subject to general guidelines laid down by NUC.

(b) The revision of the quinquennial estimates: As each year's actual expenditure per Faculty or other spending unit is known, the trend of teaching costs per student is revised so as to enable the projected student and staff numbers for each session to be established.

(c) The control of Capital Commitments within the limitations of funds available: ensuring that no financial commitment is made except in accordance with the laid down tenders procedures and with the approval of the Tenders' Board.

(d) The monitoring of the budget and the development and maintenance of techniques for overall control of recurrent or operating expenditure in order to ensure that actual operations are in reasonable conformity with the approved budget.

(e) The collection and custody of institutional funds and investment of surplus funds in a manner that would give the University optimum benefit using well-planned investment arrangements.

(f) The compilation and review of financial regulations and accounts mannual to ensure that most efficient procedures are being used at all times.

(g) The establishment of good accounting records and procedures and the provision of information on current and prospective financial conditions as a basis for policy decisions on the university financial transactions.

(h) Setting up internal audit and control in order to minimize waste and prevent fraud.

(i) To coordinate and supervise the work in the Bursary. To sit in attendance in the following committees - Finance and General Purposes, Tenders Board, Estimates, and as a member in Development Committee, Steering Committee of University Press, Staff Housing Loan, Minor Works, Zaria Area Services Tenders Board, Student Consultative Committee and Physical Planning Committee.

After the take over, Bursar's advisory role to the Vice-Chancellor and university statutory bodies on financial matters remains unchanged. But the take over has imposed a lot of strains on the Bursary in its operations. Before the take over neither the Former Northern Nigeria Government nor ICSA asked for quarterly report, but now NUC asks for quarterly reports and submission of these reports forms the basis for release of the next quarterly grant.

Another strain imposed on financial management is due to low funding. As it is commonly known preparation of the Annual Estimates is a very strenous exercise. In A.B.U., for the past three years now, the Bursar had been forced to prepare Annual Estimates twice each year and this difficulties because ofteh NUC approved grant is without regard to A.B.U. submission. When reduction in grant is heavy between two consecutive years, the work of adjusting grants to programmes becomes

extremely difficult. For instance the history of increased and then decreasing funding is clearly borne out by the table that follows:

APPROVED ESTIMATES OF RECURRENT EXPENDITURE 1962-79[57]

YEAR	ANNUAL STUDENTS POPULATION	EXPENDITURE IN ₦ MILLION
1962	425	2.60
1963	558	3.00
1964	719	3.20
1965	956	3.26
1966	914	3.28
1967	1366	3.40
1968	1745	3.50
1969	2551	3.52
1970	2820	4.80
1971	3840	6.00
1972	5052	20.00
1973	6051	27.80
1974	6739	35.80
1975	7651	59.00
1976	7321	54.00
1977	7329	42.70
1978	7679	40.60
1979	8340	31.70

57. A.B.U. Estimates 1962 - 79 from the Bursary

TABLE

LEVEL OF SUBVENTION FROM FEDERAL AND STATE GOVERNMENTS FOR CAPITAL EXPENDITURE - IN ₦ MILLION 1969 - 1979[58]

YEAR	FEDERAL GOVERNMENT	REGIONAL/STATE	
1969	1.9	1.00	
1970	3.4	1.20	
1971	3.8	1.06	
1972	8.8	10.02	
1973	13.6	13.09	
1974	17.8	15.04	
1975	29.9	25.09	
1976	53.0	)	Northern States
1977	27.8	)	had stopped
1978	25.5	)	contributing since
1978	23.1	)	1976

On examining the table of recurrent expenditure, it will be discovered that the expenditure rose from ₦2.6 million in 1962 to ₦59.00 in 1975 the year in which the take over was effected and there after started falling.

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58. A.B.U. Estimates 1969/70 - 1979/80.

The same trend is traceable in the capital expenditure. Federal Government subventions rose from ₦1.9 million in 1969 to ₦53.00 million in 1976. Whereas the Regional/State subvention rose from ₦1.00 million in 1969 to ₦25.09 million in 1975 and thereafter phased out.

The net effect is that there has been a cut in funding in every aspect of development in the university in recruitment, training, promotion and provision of fringe benefits for staff and provision of accommodation, feeding and other facilities for students. The Bursary has great difficulties in paying contractors, overtime and mileage claims for staff. As a result there is a general decline in staff strength though this cannot be attributed to take over alone.

CHAPTER 6

THE TAKE-OVER AND ACADEMIC FREEDOM AND UNIVERSITY AUTONOMY

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THE TAKE-OVER AND ACADEMIC FREEDOM AND UNIVERSITY AUTONOMY

The task in this chapter is to determine what constitute academic freedom and university autonomy and to examine how these have been affected as a result of the take-over. At the Annual Seminar of the Committee of Vice-Chancellors on "Government-University Relations[60] Brigadier Shehu Musa Yar'adua, then Chief of Staff Supreme Headquarters said in parts:

> "The universities say that for them to be able to carry on with their traditional pursuits, they need to have genuine autonomy and academic freedom, I can assure you that the government agrees with this view. We realize that the arrangement to provide for an atmosphere in which this autonomy and freedom are given expression varies from place to place. However, I am not sure that we are all agreed on what this autonomy means or entails. I am not honestly sure whether the members of academic communities themselves have clearly articulated the nature of this autonomy and freedom which they either feel they do not enjoy or which they feel does not exist in sufficient degrees. We all, government and universities alike, have somehow assumed the self evident nature

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60. Brigadier Shehu Yar'adua: Speech at opening of the First Annual Seminar of the Committee of Vice-Chancellors on Government-University Relation at Bagauda Lake Hotel Kano - 21st December, 1977 p. 11 to 12.

of this autonomy and this freedom for so long that I believe we have neglected, to define what we are precisely talking about".

I like to borrow the definition offered by Robbins Committee[61] on higher education in defining what academic freedom is though I have already defined academic freed in section 4.2.2 of this. I will repeat it here for the sake of emphasis and to make the argument in this section coherent.

6.1 The Committee in defining academic freedom as it relates to an institution outlined its components as:

freedom to appoint its own staff without reference to any external authority;

freedom to determine the contents of curricula and to establish and maintain its own standard without reference to any external authority;

freedom to determine the rate of growth and to choose its own students;

freedom to determine the balance between teaching and research and

freedom to determine the shape of its development including which subjects to develop in preference to others".

In the modern sense, it is only when the above ingredients of academic freedom exist that university autonomy (freedom from government control) automatically follows; autonomy cannot exist without academic freedom and vice versa.

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62. Lord Robbins Report on Higher Education 1961-63. London HMS Office October, 1963 pages 230-234.

6.2 ACADEMIC FREEDOM IN A.B.U. BEFORE AND AFTER THE TAKE-OVER

As I have pointed out in 4.2.2 (a) of this thesis, judged against the above components, A.B.U. did enjoy Academic freedom and university autonomy flowed from it, between 1962 when the university started and 1975 when the take-over became effective.

Before the take-over, A.B.U. recruited all grades of staff members, selected its students, mounted its academic programmes through laid down legal and statutory provisions without any outside interference.

But after the take over, outside interference had encroached on the university freedom to choose its staff by the appointment of Vice-Chancellor by the Visitor; its freedom to select its own students by selection through JAMB: its own freedom to mount its own academic programmes by limitations introduced by NUC through the use of NUC Recommended Academic Plan.

6.3 The Myth of Complete Autonomy

I proposed in chapter two that I adopt the variant of United Kingdom model of university autonomy to prove that the doctrine of complete autonomy is utopian in that it exposes either disturbing ignorance or deliberate distortion of practice in other parts of the world. I also made the point that the pattern of Nigerian university organization, structure and management is based on the one adopted in British Universities founded within the last one hundred years. In Great Britain which provides us with our proto types, the structure is such that ensures freedom of action

for the academics within the wide parameters laid down by the State through the University Grants' Committee and their Councils. This is clearly borne out by Eric Ashby and Mary Anderson when they declare:

> "As to autonomy, the truth, though it is often blurred by rhetoric, is that nowadays no university can expect to be completely self governing in the sense that an independent state or municipality is self-governing.(63)

The above is indeed the crux of the matter, most universities are funded by central or state governments, religious organizations, or even the alumni of the university. In all cases "those who pay the piper tend to dictate the tune" either indirectly as in the use of the university Grants Commission of the United Kingdom, or directly through commissions as in the use of NUC in Nigeria.

Thus the implication from the above quotation is that inspite of British long tradition of respect for unwritten conventions and her policy of protecting university autonomy by these conventions, it still exercises a measure of control indirectly through the University Grants Commission. It would sound utopian to expect British Government to turn British universities loose to university Council and professors who would be free to request much money as they consider appropriate and to spend what they receive as they deem proper without being answerable to anybody outside the university circle.

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63. Eric Ashby and Mary Anderson: Autonomy and academic freedom in Britain and in English-speaking countries in Tropical Africa; Minerra 4 1966 pp. 320 - 1

From the above British example the question of complete autonomy for Nigerian university is a myth, and therefore cannot be applied to A.B.U. which is a proto type of the British model. Since no government can spend millions of Naira on a programme without taking interest in it, it is justified to expect the Federal Government to exercise some measure of control on university administration.

I would like to say that since the university is out to serve the public and not government the type of control I advocate is public control not civil service control. The university should not be an arm of the civil service which is what is now being contemplated through control by Federal or State Ministry of Education. Public control should be exercised on its finances through the National Universities Commission which, as I mentioned earlier, is the equivalent of British University Grants Commission. Therefore complete autonomy is out of the question.

6.4 Centralized University Administration

In this section, I will attempt to prove whether or not University Administration has been over centralized as a result of the take over and if so with what effects.

I begin by repeating what I have said earlier on that the take over in itself is necessary at this state of our national economic development because:

(a) we need co-ordinated planning in national efforts so as to avoid waste;

(b) operations in the universities require huge sums of money and only the Federal Government can provide such huge sums of money.

(c) universities are expected to maintain international standards and we require a body, like the NUC to ensure that these standards are maintained;

(d) as public organizations universities must be accountable to the public and this must be through some control system and NUC provides such a system.

But the army administration since the take over has introduced bottle-necks into the routine procedures in university administration. For A.B.U, Bursary staff have to run to Lagos many times each quarter to chase the release of our grants. This is not necessary considering the distance from Lagos to Zaria, unlike Ibadan or Ife which are a few kilometers away from Lagos. Such journeys were unnecessary before the take over. For example, the delay in releasing funds for the construction of AERLS new administrative building had led to cancelling and reawarding of the same contract, thus delaying the building of the Film Studio. It is not that university administration was not centralized to some extent, but the question now is, is it over centralized?

Firstly before the take over A.B.U. depended on the following sources for funds, - tuition fees, external foreign grants, state and Federal Government grants. But now all other sources have been frozen; it is only the Federal Government that now provides the funds. This makes all universities depend completely on the Federal Government, and for this reason A.B.U. Bursary staff make several journeys to Lagos to

defend estimates, to pursue quarterly grants, to present or collect tenders documents, to collect cheque for this or that project. Before the take over, the university could fall on the tuition fees, state grants or foreign grants received and operate pending when the Federal Government grants would be sent.

Secondly, the use of a standard tenders procedure has been introduced in all universities. This makes the system of awarding contracts unfform. The procedures set out what the universities, consultants, and NUC have to do before contracts are awarded. But it is time consuming. Thirdly, the fixing of common rate for boarding and lodging fees in all universities from financial and administrative responsibilities towards student feeding and lodging manifestly show evidence of central administration. Fourthly, by limiting hostel units to 3330 in all universities irrespective of size and need clearly shows government determination to employ a common yard stick to all the universities in the country no matter how one university is different from the other.

Fifthly the founding fathers and their advisers in their wisdom took the diversified needs of the country into consideration in sitting and structuring and in curriculum planning of the universities. That is why Islamic Religious Studies as a discipline was introduced in A.B.U. where the inhabitants of the university environment are predominantly moslems, while the discipline of Christian religious studies was introduced at Ibadan in the interest of the predominantly Christian population

of the South where the university is situated. This is why oil technology should be introduced in Benin, Port-Harcourt and Calabar Universities and refineries built in those locations where raw petroleum is found, not otherwise.

To build refineries in non-oil-producing areas is a serious departure from the British practise where government programmes relate to university courses - sheffield university has a course in steel where due to abundance of iron ore, steel industry has been established. The same holds good with wool in Leeds, and cotton in Manchester.

Sixthly, the transfer of Vice-Chancellors where and when desired without any previous consultations is a very strong evidence of over centralization. Before the take over Councils used to recruit their Vice-Chancellors, but since the take over Vice-Chancellors were transferred from South to North and East to West against their desires.

I can now safely conclude that university administration has been over centralized since the take over and this is a serious threat to university autonomy and efficiency. It would have been proper for the Federal Government to concern itself with broad policies and to leave the details to the Universities, but now it determines the cost of buildings and where to build; number of staff to recruit and the curriculum to be adopted for each of the thirteen Universities.

CHAPTER 7

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

CHAPTER 7

SUMMARY, CONCLUSIONS AND RECOMMENDATION

7.1 Summary of Findings

I will now attempt summarizing the main points raised in this thesis, pin-pointing conditions that existed before and after the take over, effects of the take over and recommendations offered as possible solutions to problems created by the take over.

The main objective of this thesis is the evaluation of the administrative implications of the Federal Government take over of Nigerian Universities identifying the main problems that have arisen therefrom and to recommend measures for improvement.

The focus is on Ahmadu Bello University simply because of money and time constraints and because I have been long in this university and therefore have easy access to records and people, but visits have been made to other universities for information.

As an administrator in Ahmadu Bello University I have heard of complaints that the take over is responsible for the deteriorating financial position of the university, as shown by failure to pay contractors on completion of their contracts, failure to pay overtime claims of staff members; major projects have been halted, recruitment of staff suspended except in replacement of those who have left, staff had been denied certain legitimate allowances. More importantly,

there is the peddled claim that the powers of the council and the senate have been eroded by the take-over. Since there has been no investigation into these claims, this study is under-taken to find out justification for the claims.

I have adopted the case study method of comparing and contrasting policy and operational processes before and after the take over using documents such as: Federal Government publications and reports, university publications, articles and journals and newspapers. I have also drawn freely from the experiences of my long stay (1968-1979) in Ahmadu Bello University. I have also defined some of the terms used such as take over, Decree No 22 of 1975, standard Tenders Procedures, Academic Plan.

In my analysis attention is focused on the effects of the take-over on the policy and operational structures, changes that have been occasioned as a result of the take over and how these changes affect operations. The scene is laid in a military era (1975-1979) but in order to be able to make valid conclusions on comparative basis, pre-military era and a projection into the future has also been considered.

One of the two main structures identified is the policy structure which for the purpose of simplifying analysis had been divided into external and internal policy making structures. The other is the operational. The components of the external policy structures are

Federal Cabinet Office. Federal Ministry of Education. National Universities Commission (NUC) and Committee of Vice-Chancellors.

The Federal Cabinet Office is the Office of the visitor whose traditional role is that of a symbol that guards the interest of the institution and conducts visitation on the recommendation of NUC. Its main function has been the issuance of policy directives either directly or through its agents - the Federal Ministry of Education and the National Universities Commission.

The functions of the Federal Ministry of Education include laying down broad policy guidelines for higher education in the country, provision of block grants for running universities, provision of scholarships for federal scholars and establishing of universities and seeing to their welfare.

The NUC does not only interpret and execute the Federal Government policies on universities, it initiates new policies within its competence in its efforts to achieve the overall national objective on higher education. One of such initiatives was the introduction of new rates of fees for tuition, accommodation and feeding of students in 1977. Its main function is sharing out block grants to universities advising the federal Government on the establishment of new universities and the main finance of the old and new ones.

The Committee of Vice-Chancellors, though not a statutory body is recognised by the Federal Government as a policy maker for the universities. Most of its decisions had been adopted in Nigeria

Universities and today such decisions form part of the existing policies in Nigerian Universities, for example, initiating new salary structures for certain cadre of universities and defends their demands before the Federal Government. A very good example of this is its submission to the Public Service Review (Udoji) Commission etc.

The other arm of the policy structure operates internally and includes the council, the senate, the faculties, the departments. While the council is the highest policy making body in the university and hears appeals from all other sections and is the final arbiter, the senate is supreme in all academic matters but statutorily it is responsible to the council. The Faculties and departments can initiate policy proposals for approval of senate and council, but majority of the policies are formulated by the senate and council.

The university administrative operations are carried out by the Vice-Chancellors' Office, the Registry and Bursary while the research and teaching operations are carried out by the faculties, the departments and the centres and the institutes. All activities gravitate towards teaching and research and the Vice-Chancellor is the Chief Executive and academic leader. As Chairman of senate and member of council, he steers the ship of the university and finds himself involved in almost all activities operating in the university.

The Registrar is the Chief administrator and has the final say in the interpretation of the university regulations. He is the secretary of the Council and the Chairman of the services sub-committee for appointment and promotion of senior staff members. He assists the Vice-Chancellor in the daily administration of the university. He is the custodian of the common seal of the university. The Bursar is in charge of financial matters of the university. University funds are in his custody. Like the Registrar, he is responsible to the Vice-Chancellor for all his duties.

7.2 Conclusions

Consequent upon the take-over the main agents of the Federal Government have over-reacted in their exercise of additional powers conveyed upon them by the take-over.

Hitherto, the Visitor of the university was a ceremonial head, but as a result of the take-over, the Visitor has arrogated to himself, the power to make new laws and to amend the existing ones without reference to the council. By Decree No. 22 of 1975 A.B.U. Principal law was amended and council was dissolved and a provision council set up. After the take-over the Chief Executive of A.B.U. was removed from office and a new one appointed by the Visitor. This set in motion a series of chain reaction. The then Commissioner for Education issued circulars to universities closing and opening universities especially during emergencies. In 1977 the NUC announced increases in the rates of fees

chargeable for tuition, feeding and accommodations of students and set up innovative committees some of which were curriculum planning committee, physical facilities committee etc.

I can now draw the following conclusions

1. That the take-over affected the external policy making structure of the university. It substantially increased the powers of the Visitor, Ministry of Education and National Universities Commission and at one stage gave the impression that the university was an arm of the civil service and in particular a section of the Federal Ministry of Education.
2. While the power of the external policy makers were increased, the take-over substantially reduced the powers of the internal policy makers. The university council was robbed of its traditional functions and had become a rubber stamp to endorse the instructions from the Federal Government. They were no more sure of their tenure of appointment and council deliberations had since been left in confusion.
3. The take-over has substantially affected the admission policy of A.B.U. An important component of academic freedom is that the academic institution will select its students and staff. This is violated because students admitted into A.B.U. are now selected by an outside body (JAMB). This freedom is further violated because twice since the take-over unconstitutional means had been

used to select new heads of this university. To say the least Vice-Chancellors are now imposed on A.B.U.

4. Certain conditions had induced certain professors to accept appointment with some universities. When they become subject to unscheduled transfers, these inducements are no more guaranteed and so they quit and not less than four Vice-Chancellors have left their jobs resigning on protest. Other lecturers who feel that they have a duty to contribute towards building a virile and prosperous nation but are asked by the government to quit university jobs if they join politics have no alternative but to resign. This is a breach of contract, a violation of academic freedom and denial of fundamental human rights. A.B.U. Principal Law provides that "a staff member who becomes a member of the house of Assembly shall not thereby cease to be a member of the university..."(64) By banning staff members from taking part in politics, the government has caused the university to breach the contract terms which the university entered into at the time such staff member was recruited. I conclude that the take-over is responsible for this violation of academic freedom, for this breach of contract and for this denial of fundamental human rights.

5. By taking over from the university the right to discipline its staff and students as exemplified in the implementation of Justice Mohammed's Commissions recommendations, university administrative autonomy has been violated. This has led to more student unrests and indiscipline.

I conclude that the take-over has over centralised university administration and robbed the university of its power to discipline its students resulting in the break down of law and order in A.B.U. campuses.

6. During General Obasanjo's regime he accussed the universities of wasting public funds by setting up splendid buildings. He observed that other universities copied this "ivory tower" style from Ibadan and informed the nation that its regime would curb this tendency and make savings with which to start new courses and new universities. This explains why any university that had hostel accommodations for one-third of its student population is not allowed to set up more hostels. It also explains why the universities are embarking on off campus policy now. If further explains why more classrooms cannot be built and why new staff members cannot be recruited for expansion without clearance from Lagos but recruitment could be carried out only if it is for replacement. This control of university spending can be illustrated with the trend in the current expenditure of the university. The expenditure was rising steadily from ₦2.6 million in 1962 to ₦4.80 million in 1970, shooting up to ₦20 million in 1972 and jumping to ₦59.00 million in 1976 and to ₦31.70 million in 1979.(64)

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64. See table on pages 79-80.

My conclusion here is that the financial autonomy of the university had been violated and that the financial problems in A.B.U. to a large extent is due to the take-over. It is true that Government stringent measures for the universities coincides with the period of general economic depression. The nations which boasted of a boom suddenly found her treasury empty thus exposing the oil mirage. The cut in grants affected, not only universities but all government ministries and parastatals.

Inspite of this general economic phenomenon I contend that if the universities were allowed to manage their finances without government intervention, the state of financial affairs would not be as bad as it is now.

I blame the present financial difficulties in the university on the take over.

7.3 Recommendations:

In the light of the enumerated problems that have emerged as a result of the take-over and the conclusions that have been reached so far the following recommendations are offered as folutions:

1. The Ahmadu Bello University (Transitional Provisions) Decree No. 22 of 1975

A.B.U. (Transitional) Provisions Decree No. 22 of 1975 was sequel to the ill conceived Ibadan amendment Decree[65] which was

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65. University of Ibadan Calendar: University of Ibadan Amendment Decree 1976 - 776 p. 36.

promulgated to circumvent the opposition of university of Ibadan Senate to Federal Military Government use of unconstitutional means to remove its Vice-Chancellor. The amendment decree was to serve as a temporary measure by a military Head of State to bring about a change of the Vice-Chancellorship of that university. This was however extended to university of Lagos, the other Federal University.

Now that the army regime has come and gone, an end should be put to unconstitutionalism. Fpr A.B.U., seven section (14, 15, 31, 7, 17, 12 and 15)[66] of the principal law are affected. This is a serious erosion of the powers of the council.

I recommend abrogation of all the (Transitional) Provisions decrees affecting all Nigerian Universities and the restoration of the Universities laws, but these should be revised by a central body set up by Federal Government. The aim here is to reflect in those laws the present higher education policy entrenched in the new constitution, and to streamline laws in Nigerian Universities.

2. Appointment of Vice Chancellors

The University Chief Executive (Vice-Chancellor) should be appointed by an independent body. The practice had been for the Senate to nominate 20 candidates and vote for them. The results will be forwarded to an ad hoc committee of Senate and Council which will reduce the number to 6 candidate. On getting the result, the Council will further reduce this to 3 and forward three names to Lagos.

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66. See explanation notes on pages 21-26.

My recommendation is that university Advisory Council be set up by the Federal Government on a permanent basis to handle the hiring and firing of Vice-Chancellors.

The composition of the advisory council should be as follows:

The convener should be the chairman of NUC

one member each from senate of all universities

one member each from council of all universities.

I mentioned in chapter three that this recommendation if adopted would have the advantage of allowing members of other universities to take part in selecting a head of a sister university. It was also mentioned that there will be the added advantage of resolving disagreement between senate and council (like the one which occured in Lagos University in 1965) over nomination especially if the Advisory Council is given the power to nominate whenever there is disagreement between senate and council.

3. The Need for Government Control

As a third world country, Nigeria is in a hurry to develop and therefore cannot afford slip-shot arrangements to supply high-level manpower needed for her development. The failure of successive national development plans had been attributed to lack of executive capacity and technology. For the purpose of supplying the economy with the needed executive capacity and technology, I strongly recommend that the Nigerian Universities be subjected to Public Control Not civil service

control, which was contemplated upon by the then Federal Commissioner for Education, Col. Ali when he started issuing orders to universities as if they were annexed to the Federal Ministry of Education.

NUC under its present capacity should concern itself with all other functions as stipulated in the decree except academic planning. This should be left for National Council on Higher Education. Public control must be based on effective co-ordinated planning in order to eliminate waste and maintain standards.

The present efforts are characterized by duplications and involves a great deal of waste in terms of material and personnel. The need for public accountability in the management of public funds re-inforces the argument that universities should be publicly controlled. NUC should continue to operate as an independent organization, not an arm of the Federal Ministry of Education to control the finances of our universities, and for that matter NUC should be clearly seen as taking independent actions affecting the universities in the interest of the nation, but not to suit the government in power.

But it is important to establish a healthy relationship between the Government and the university which would assure the government that the university is cognizant of national needs and is playing active role towards meeting these needs. While on the other hand the government should allow the universities elbow room within which to perform their role to the best of their ability. This brings to the fore the question of academic freedom and university autonomy.

4. Academic Freedom and University Autonomy

The need for government control has been established in section three above (see page 100). The Gowon Military regime's threat to striking university dons "to return to work or consider their appointment terminated" during the dying minutes of his stay in office was a case of violation of university autonomy.

But the real challenge to academic freedom in this country relates to the question of a national policy on admission to the universities. The idea of a quota system was considered by Committee of Vice-Chancellors as incompatible with academic freedom. Similarly government regulation that allows every public officer (including University Staff) to "withdraw his/her service after giving one month's notice was vehemently opposed by the universities.

My recommendation is that a compromise policy be sought. Fortunately this compromise policy has now been agreed upon by both the university and the government. The Joint Admission and Matriculation Board (JAMB) is the compromise solution. Even though I recommend that JAMB should stay I do not mean in its present form, I recommend that JAMB should remain as a clearing house in order to ensure that standards are maintained in admissions to universities.

5. The Role of the Visitor

The function of the visitor to A.B.U. according to the Principal Law[67] is to direct a visitation to the university from time to time as he thinks fit for the purpose of ensuring the effective fulfilment of its object as set out in the Law.

It is this lack of a well defined relationship between university and the visitor that led to the usurpation of council functions by A.B.U. visitor.

My recommendation is that the functions of the visitor must be purely ceremonial and must be clearly stated showing what times he should conduct his visitation and what in specific terms he should inspect. I recommend that visitation be carried out after every five years. He should be able to see what progress has been made over the five years in terms of:

number of graduates produced for the previous five years period and what these graduates have become, increase or decrease in staffing positions, student admitted, buildings, departments and to find out why these changes occur.

This arrangement will make it possible to evaluate the university performance during the tenure of office of a Chancellor which is normally five years.

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67. A.B.U. Calendar 1974 - 1975 page 38.

6. Over Centralization

From all the evidences that have so far been adduced, a conclusion had been reached that university administration had been over centralized. This claim is evident in the management of minute details of current and capital projects where all references about how many staff members, students, buildings etc must be made to Lagos before decisions are taken. Further evidence is in the unified service scheme where the same salary structure and conditions of service operate throughout government owned companies and public sectors (including the Universities). It has also been pointed out that this type of over centralization causes delay, paralyzes the smooth running of universities. This is why there have been much complaints in the universities now adays and because of frustration many are leaving university services for other sector.

I recommend that:-

i) The Federal Government, while still making block grants available to the universities through NUC, should allow the universities to see in advance what they expect in five years to come and to work out the details themselves. The universities should be allowed to benefit from state and foreign grants as before.

ii) While the Southern Universities can afford to wait for decisions from Lagos (and they cover only a very few kilometres to get to Lagos) A.B.U. in particular and other Northern Universities in general find it difficult to go down to Lagos every time to clear either student

admission, receive block grants, chase information on the appointment of a new Vice-Chancellor or obtain clearance to set up a new administrative block, student hostel or a new classroom block. I recommend that the decision making processes be decentralized to the states where these universities operate. It is not enough to open a JAMB office at Kaduna where JAMB forms alone can be collected while decisions are still taken at Lagos; nor is it enough to send the block grants through the Central Bank branch at Kaduna yet there is nobody to answer any questions there unless one goes down to Lagos.

iii) University services should be left out of the unified services and should be allowed to operate its own salary grades which was slightly higher before the take-over than what obtains in the civil service. This was to attract the best brains to research and teaching.

iv) Special conditions of service for universities should be restored but should be made uniform in all Nigerian universities. Modifications, can however, be allowed because of local conditions - Annual leave period should remain as before; Car-loans should be through the universities; withdrawal of service should be after three months notice and not one as obtains in the civil service etc.

v) Staff and student discipline should be left to the individual universities and the ban on politics for staff and students should be lifted.

7. General

1. Administrative matters.

The administrative functions of the Vice-Chancellor as the Chief Executive and the Registrar as the Chief Administrator should be clearly stated. This will resolve once and for all a possible confusion that can arise over who takes what action under emergency.

My recommendation is that the functions of the Registrar, Bursar, Librarian and Director of Works as they relate to areas of their competence should be Clearly written down in the Principal Law and for the present the laws and the regulations should be rewritten (amended) in the light of the new constitution. This will clearly show the limits of powers. The Vice-Chancellor will know when or when not to ask these functionaries to take certain actions and they will know whether or not they are right to comply or refuse. A state of flux neither gives tone nor stability to an organization.

2. In order to determine the local needs of the different universities comparative studies of Nigerian universities should be conducted for the purpose of setting up guidelines for Nigerian Universities, on staff movement in particular and working conditions of service in general.

APPENDIX I

METHODOLOGY

APPENDIX I

METHODOLOGY

Population Coverage

A NUC Members

B Council Members

C Senate Members

D Officers of the University

E A.B.U. Staff

F Students

I have freely drawn on documents and publications of Ahmadu Bello University and of other Universities and have equally made use of my own experience as administrator currently serving in Ahmadu Bello University.

APPENDIX II

AHMADU BELLO UNIVERSITY (TRANSITIONAL)

PROVISIONS DECREE NO. 22 OF 1975

APPENDIX II

AHMADU BELLO UNIVERSITY (TRANSITIONAL) PROVISIONS

DECREE NO. 22 OF 1975

The Federal Military Government hereby decrees as follows:

1. The Council of the Ahmadu Bello University as established by section 14 of the Ahmadu Bello University Law and as constituted pursuant to that law is hereby dissolved.

2. (1) There is hereby established as an interim governing body of the University a Provisional Council which shall, subject to the general direction of the Head of the Federal Military Government, control the policies and finances of the University and manage its affairs.

Ahmadu Bello University (Transitional Provisions) Decree was one of four such decrees, the other three were:

(a) Decree No. 44 of 1973 for University of Nigeria Nsukka

(b) Decree No. 20 of 1975 for University of Benin

(c) Decree No. 23 of 1975 for University of Ife

By these four decrees Federal Government took over all existing Nigerian Universities and run them as arms of the Federal Ministry of Education through the National Universities Commission. The University employees are now regarded as civil servants. A common Law for all the universities is being worked out.

(2) Subject to subsection (3) of this section, the Provisional Council shall consist of such persons as may be prescribed by an Order made by the Head of the Federal Military Government and the members of the Provisional Council shall hold office for such period and on such terms and conditions as may be specified in the order.

(3) The persons who immediately before the commencement of this Decree were chairman and members of the Council of the University shall by virtue of this subsection respectively be deemed to have been appointed chairman and members of the Provisional Council established by this Decree and shall hold office for such period and on such terms and conditions as the Head of the Federal Military Government may direct.

3. (1) Subject to subsection (2) of this section, the Provisional Council shall exercise such functions, a part from those specified in section 2 above, as are expressly conferred on the Council by the Principal Law.

(2) Except with the prior approval of the Head of the Federal Military Government, the Provisional Council shall not exercise any of the powers conferred by -

(a) section 16 of the Principal Law (which relates to power to delegate functions of the Council); and

(b) section 31 of the Principal Law (which relates to the making of Statutes regulating the University).

4. The Head of the Federal Military Government may by Order amend any provision of the Principal Law.

5. (1) Until other provisions are made in that behalf by the Federal Military Government -

(a) all references in the Principal Law to the Visitor shall be construed as references to the Head of the Federal Military Government; and

(b) the power to appoint the Vice-Chancellor of the University shall vest in the Head of the Federal Military Government.

(2) All the provisions of the Principal Law shall be construed subject to this Decree.

6. (1) In this Decree -

"the Council" means the Council of the Ahmadu Bello University dissolved by this Decree;

"functions" includes power and duties;

"the Principal Law" means the Ahmadu Bello University Law as amended;

"the Provisional Council" means the Provisional Council of the Ahmadu Bello University established by section 2 of this Decree.

7. This Decree may be cited as the Ahmadu Bello University (Transitional Provisions) Decree 1975.

The cardinal point in the provisions of this decree which must be kept in focus is

Suspension of the following sections of A.B.U. Principal Law -

section 14 (constitution of the council)

section 16 (council power of delegation)

section 31 (council power of amendment or revocation of statutes)

section 9 (appointment of the Visitor)

section 17 (appointment of Chairman of Council)

section 12 (appointment of the Vice-Chancellor)

section 15 (functions of the council).

APPENDIX III

NATIONAL UNIVERSITIES COMMISSION

STATUTORY FUNCTIONS OF 1974

NUC STATUTORY FUNCTIONS[68]

Broadly, functions of the Commission are related to those of the co-ordination, development and financing of Nigeria Universities and specially the following:

(a) to advise the Head of Federal Military Government through Commissioner on creation of new Universities and other degree granting institutions in Nigeria;

(b) to prepare, after consultation with all the state Government, the Universities, the National Manpower Board, and such other bodies as it considers appropriate, periodic masterplans for the balanced and co-ordinated development of the Universities in Nigeria.....

(c) to make such other investigations relating to higher education that Commission may consider necessary in the national interest;

(d) to make such other recommendations to the Federal Military Government and State Governments or to the Universities relating to higher education as the Commission may consider to be in the national interest;

(e) to inquire into and advise Federal Military Government on the financial needs, both recurrent and capital, of University education in Nigeria and, in particular to

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68. NUC Nigeria, Annual Report July 1977 - June 1978 page 1.

investigate and study the financial needs of University research and to ensure that adequate provision is made for this in the Universities;

(f) to receive block grants from the Federal Military Government and allocate them to Universities in accordance with such formula as may be laid down by the Federal Executive Council;

(g) to take into account, in advising the Federal Military Government on University finances such grants as may be made to the Universities by State Government and by persons and institutions in and outside Nigeria;

(h) to collate, analyse and publish information relating to University education in Nigeria and from other sources where such information is relevant to the discharge of its functions under this Decree;

(i) to undertake periodic reviews of terms and conditions of service of personnel engaged in the Universities and to make recommendations thereon to the Federal Military Government where appropriate;

(j) to recommend to the Visitor of a University that a visitation be made to such University as and when it considers it necessary;

(k) to act as the agency for channelling all external aid to the Universities in Nigeria and

(l) to carry out such other activities as are conducive to the discharge of its functions under its Decree.

APPENDIX IV

TABLES

TABLE I

LIST OF UNIVERSITY INSTITUTIONS

No.	Name of University	Location	Vice-Chancellors and Registrars	Year founded
1.	Ahmadu Bello University	Zaria	Dr. Ango Abdullahi Mr. Yahya Aliyu	1962
2.	Bayero University	Kano	Dr. I. H. Umar Mr. Y. A. Ibrahim	1975
3.	University of Benin	Benin City	Prof. Adamu Baikie Mr. B. O. Akwukuma	1970
4.	University of Calabar	Calabar	Prof. E. A. Ayandele Mr. O. A. Uffot	1975
5.	University of Ibadan	Ibadan	Prof. S. O. Olayide Mr. S. J. Okudu	1948
6.	University of Ife	Ile-Ife	Prof. C. A. Onwumechili Dr. E. O. Adetunji	1962
7.	University of Ilorin	Ilorin	Prof. A. O. Adesola Mr. O. Daramola	1975
8.	University of Jos	Jos	Prof. E. U. Emovon Mr. G. T. Korgba	1975
9.	University of Lagos	Lagos	Prof. B. K. Adadevoh Mr. M. O. Ekperokum	1962
10.	University of Maiduguri	Maiduguri	Prof. Jibril M. Aminu Mal. Dahiru Bobbo	1975
11.	University of Nigeria	Nsukka	Prof. F. N. Ndili Mr. A. E. Orandubanga	1960
12.	University of Port Harcourt	Port Harcourt	Prof. D. E. U. Ekong Mr. M. E. Akpe	1975
13.	University of Sokoto	Sokoto	Prof. S. A. S. Galadanci Mr. H. B. Afolabi	1975

TABLE 2

MEMBERSHIP OF THE NATIONAL UNIVERSITIES COMMISSION

No.	NAMES	INTEREST REPRESENTED
1.	Justice M. G. Balogun	
2.	The Permanent Secretary	(Fed. Min. of Education (Represented by Mrs. Y. Halloway)
3.	Mr. S. A. Musa, Perm Sec.	Federal Ministry of Finance
4.	The Permanent Secretary	Federal Min. of Economic Dev. (Represented by Mr. John Edozien)
5.	Mr. E. O. Omoyele, Permanent Secretary	Federal Ministry of Health
6.	Professor M. Achufusi	University of Nigeria Nsukka (Humanities)
7.	Professor S. A. Aluko	University of Ife (Social Science)
8.	Professor Umaru Shehu	Ahmadu Bello University, Zaria (Medicine)
9.	Professor E. U. Emovon	University of Benin (Basic Science)
10.	Professor I. O. Oladapo	University of Lagos (Eng. & Tech)
11.	Professor S. O. Olayide	University of Ibadan (Veterinary)
12.	Mr. I. Yazidu	Chairman Committee on OFN, Lagos - (Agric)
13.	His Highness Alhaji S. Idris	Emir of Zaria
14.	Brigadier T. B. Onundeko	Nigerian Education Corps.
15.	Alhaji Mamman Daura	United Nigeria Textiles Ltd., Kaduna
16.	Mrs. M. T. Bello	Ministry of Education, Kano
17.	Mrs. M. F. Ateli	College of Education, Port Harcourt
18.	Mr. P. A. Ogwuma	UBA Head Office, Lagos
19.	Dr. A. I. Guobadio	Ag. Executive Secretary

Source: Annual Report - National Universities Commission Nigeria July 1977 - June 1978.

TABLE 3

PRINCIPAL OFFICERS OF THE COMMISSION

Executive Secretary	Dr. A. I. Guobadia
Director of Administration	Mr. A. I. Yusuf
Adviser on Buildings	Mr. A. H. Mayhew
Director of Planning	Dr. A. I. Guobadia
Financial Controller	Mr. U. A. Ekhar
Consultant Civil Engineering	Professor Royston Jones
Director, London Office	Professor B. J. Dudley
Director, Washington D. C. Office	Mr. B. O. Rotimi
Director, Ottawa Office	Dr. A. C. Oshuntokum
Director, Cairo Office	Mr. M. K. A. Ibrahim

Source: Annual Report - National Universities Commission - Nigeria July 1977 - June 1978.

TABLE 4

AHMADU BELLO UNIVERSITY

NUC - RECOMMENDED ACADEMIC PLAN DIRECT TEACHING UNITS 1978/79

	(1) No. of students	(2) No.of teac-hers	(3) No. of SPT	(4) No. of senior Techn-icians	(5) No. of senior Admin.	(6) Junior Staff	(7) Total salaries	(8) Goods & services	(9) Item 8 as % of item 7	(10) total teaching costs ₦
Arts and Social Science	2,000	162	12.3	5	15	114	1,599,000	280,000	17.5	1,879,000
Science	750	125	6.0	25	12	191	1,539,000	462,000	30.0	2,001,000
Education	1,500	63	23.9	3	7	54	649,000	65,000	10.0	714,000
Medicine	500	100	5.0	40	20	200	1,488,000	447,000	30.0	1,935,000
Engineering	600	97	6.2	26	17	177	1,322,000	397,000	30.0	1,719,000
Environmental Design	500	65	7.7	8	8	105	785,000	79,000	10.0	864,000
Agriculture	250	40	6.3	15	8	75	580,000	145,000	25.0	725,000
Vet.Medicine	250	40	6.3	12	5	150	667,000	200,000	30.0	867,000
Pharmacy	210	30	7.0	6	4	73	370,000	111,000	30.0	481,000
Administration	1,000	60	16.7	-	3	50	579,000	116,000	20.0	695,000
Law	750	35	21.4	-	4	30	352,000	70,000	20.0	422,000
Organised Prelim.	1,000	93	10.8	4	5	100	891,000	90,000	10.0	981,000
All Disci-plines	9,310	910,	10.2	144	108	1219	10,321,000	2,462,000	22.8	13,283,000

SPT = Student per Teacher

TABLE 5

Council Committee

1. Finance and General Purposes - For all Financial matters.
2. Tenders Board - For award of all contracts
3. University Appointment and Promotions
4. Honorary Degrees
5. Disciplinary (Staff)
6. Development.

Senate Committee

1. Academic Planning
2. Admissions
3. Higher Degrees
4. University Board of Research
5. Disciplinary (Students) Advisory
6. Senate Estimates
7. Computer Centre Advisory
8. Interim Joint Matriculation Board
9. Educational Technology Centre Advisory
10. University Press (Steering)

Administrative Committees

1. Deans and Directors
2. Library
3. Intermediate and Junior Staff
4. Intermediate and Junior Staff Training
5. Minor Works
6. Students' Welfare
7. Area Services Tenders Board
8. Research Community Development (Malumfashi)
9. Zaria Area Housing
10. Intermediate and Junior Staff Housing (Main Campus)
11. Senior Staff Housing Allocation
12. Security (Main Campus)
13. Lanscape (Main Campus)
14. Students' Consultative (Main Campus)
15. Physical Planning
16. Joint Admission Matriculation Board (Liaison)
17. Bulk Purchases and Students Food Storage
18. Contractors Registration
19. Endowment Fund
20. Intermediate and Junior Staff Promotions
21. Staff Housing Loans Scheme (Constituted under Ahmadu Bello University Staff Housing Loans Scheme Regulations, approved by the Council).

There are thirty seven important committees in A.B.U:[69]

Pure Council Committees	2
Joint Council and Senate Committee	4
Senate Committee	10
Administrative and other Committee	21
	37

The Faculties Showing Year of Creation

1. Administration (1962)

   Departments:
   - Accounting
   - Administrative Studies
   - Business Administration
   - Research and Consultancy

2. Agriculture (1962)

   Departments:
   - Agricultural Economics and Rural Sociology
   - Agronomy
   - Animal Science
   - Crop Protection
   - Plant Science
   - Soil Science

3. Arts and Social Sciences: (1962)

   Departments:
   - Economics
   - English
   - Geography
   - French
   - History
   - Nigerian and African Languages
   - Political Science
   - Sociology

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69. Calendar: A.B.U. 1978/79 Calendar pp. iv-x.

4. Education (1968)

Departments:	Education
	Library Science
	Physical and Health Education
	Vocational and Technical Education

5. Engineering (1962)

Departments:	Agricultural Engineering
	Chemical Engineering
	Civil Engineering
	Electrical Engineering
	Mechanical Engineering
	Survey

6. Environmental Design (1962)

Departments:	Architecture
	Building
	Fine Art
	Industrial Design
	Project Office
	Urban and Regional Planning

7. Law (1962)

Departments:	Islamic Law
	Private Law
	Public Law

8. Medicine: (1967)

Departments	Anaesthesia
	Anatomy (Human)
	Biochemistry
	Chemical Pathology
	Community Medicine
	Haematology
	Medicine
	Microbiology
	Obstetrics and Gynaecology
	Ophthalmology
	Paediatrics
	Pathology
	Physiology, Radiology and
	Surgery.

9. Pharmacentical Sciences (1978)

Departments:	Pharmacentics and Pharmacognesy
	Pharmacology and Pharmacentical Chemistry

10. Science (1962)

Departments:	Biochemistry
	Biological Sciences
	Chemistry
	Geography
	Geology
	Mathematics
	Microbiology
	Physics.

11. Veterinary Medicine (1965)

Departments:	Anatomy
	Parasitology and Entomology
	Pathology and Pharmacology
	Public Health and Preventive Medicine
	Survery and Medicine

In addition to the above departments, the following units are included in the policy structures.

Seven Institutes as follows:

Institutes:	Administration
	Agricultural Extension and Research Liaison Service
	Agricultural Research
	Division of Agricultural Colleges
	Education
	Health
	National Animal Production Research.

Six Centres as follows:

Centre for Adult Education and Extension Services

Computer
Economic and Social Research
Educational Technology
Islamic Legal Studies
Nigerian Cultural Studies

Schools:
Hygiene
Basic Studies
Agriculture - Kabba, Samaru
Nursing - Zaria, Kaduna, Malumfashi
Irrigation - Bakura

Stations:
Agricultural Research - Ngala, Shika, Mokwar
Research Schemes - Baga

TABLE 6

CHANCELLORS OF ABU

1.	Alhaji Sir Ahmadu Bello	1962-1966
2.	His Highness Oba Akenzua II of Benin	1966-1971
3.	Mr. Justice Sir Udo Udoma	1972-1976
4.	Chief Obafemi Awolowo	1976-1979
5.	His Highness, The Lamido of Adamawa Alhaji Aliyu Mustapha	1979 -

CHAIRMAN OF COUNCIL

1.	His Highness - Emir of Bedde Alhaji Umaru Ibn Suleiman	1962-1976
2.	His Highness - The Etsu Nupe Alhaji Ndayako	1976 -

VICE-CHANCELLORS

1.	Dr. Sir Norman Alexander	1962-1966
2.	Professor Ishaya S. Audu	1966-1975
3.	Professor Iya Abubakar	1975-1978
4.	Professor O. O. Akinkugbe	1978-1979
5.	Dr. Ango Abdullahi	1979 -

REGISTRAR

1.	Mr. M. Dowuona	1962-1967
2.	Mr. K. Lupton	1968-1972
3.	Mr. M. S. Angulu	1972-1975
4.	Alhaji Y. Aliyu	1976 -

A.B.U. ADMINISTRATION

VICE CHANCELLOR'S OFFICE

General Administration

Academic Administration

Security Division

REGISTRY DEPARTMENT

Registrar's Office

Administration Office

Establishment Office

Intermediate & Junior Staff Office

Student Affairs Division

Academic Office

Development Office

BURSARY DEPARTMENT

Administration

Internal Audit

Accounting Division

Data & Statistic Division

Supplies and Stores Division

Finance Offices.

LIBRARY DEPARTMENT

Administration

Technical Service Division

Readers Services Division

Research & Bibliographical Division

Periodical Division

Bindery Section

ESTATE DEPARTMENT

Administration

Project Section

Maintenance Section

Central Mechanical Workshop

Transport Pool

Accounts Section

UNIVERSITY HEALTH SERVICES

Main Campus - Samaru

Institute of Administration

Institute for Agricultural Research

Advanced Teachers' College - Zaria.

UNIVERSITY PRESS

UNIVERSITY BOOKSHOP

STAFF SCHOOL

APPENDIX V

CHARTS

ABU POLICY CHARTS

ABU OPERATIONAL CHARTS

CHART A

AHMADU BELLO UNIVERSITY POLICY – MAKING STRUCTURE

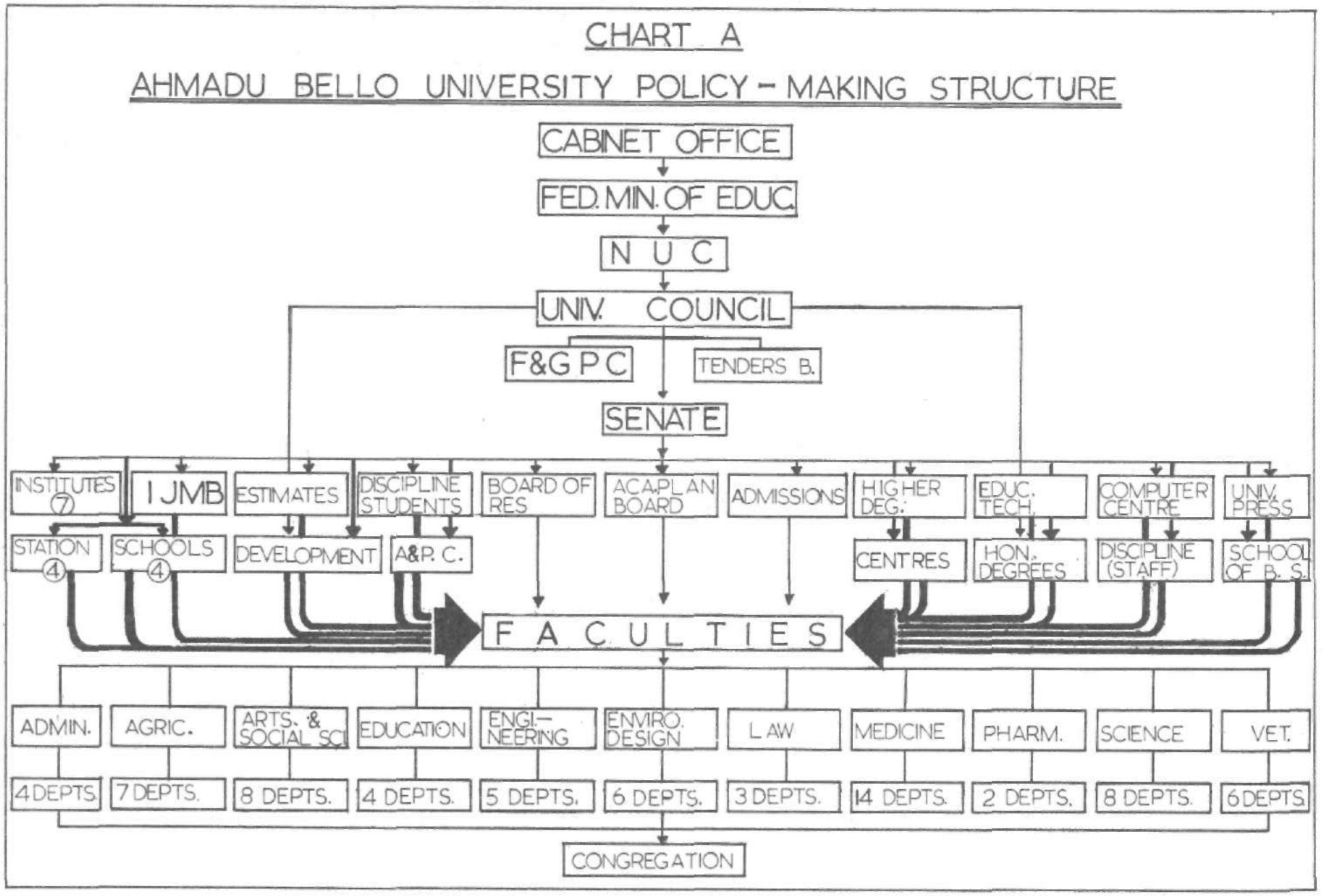
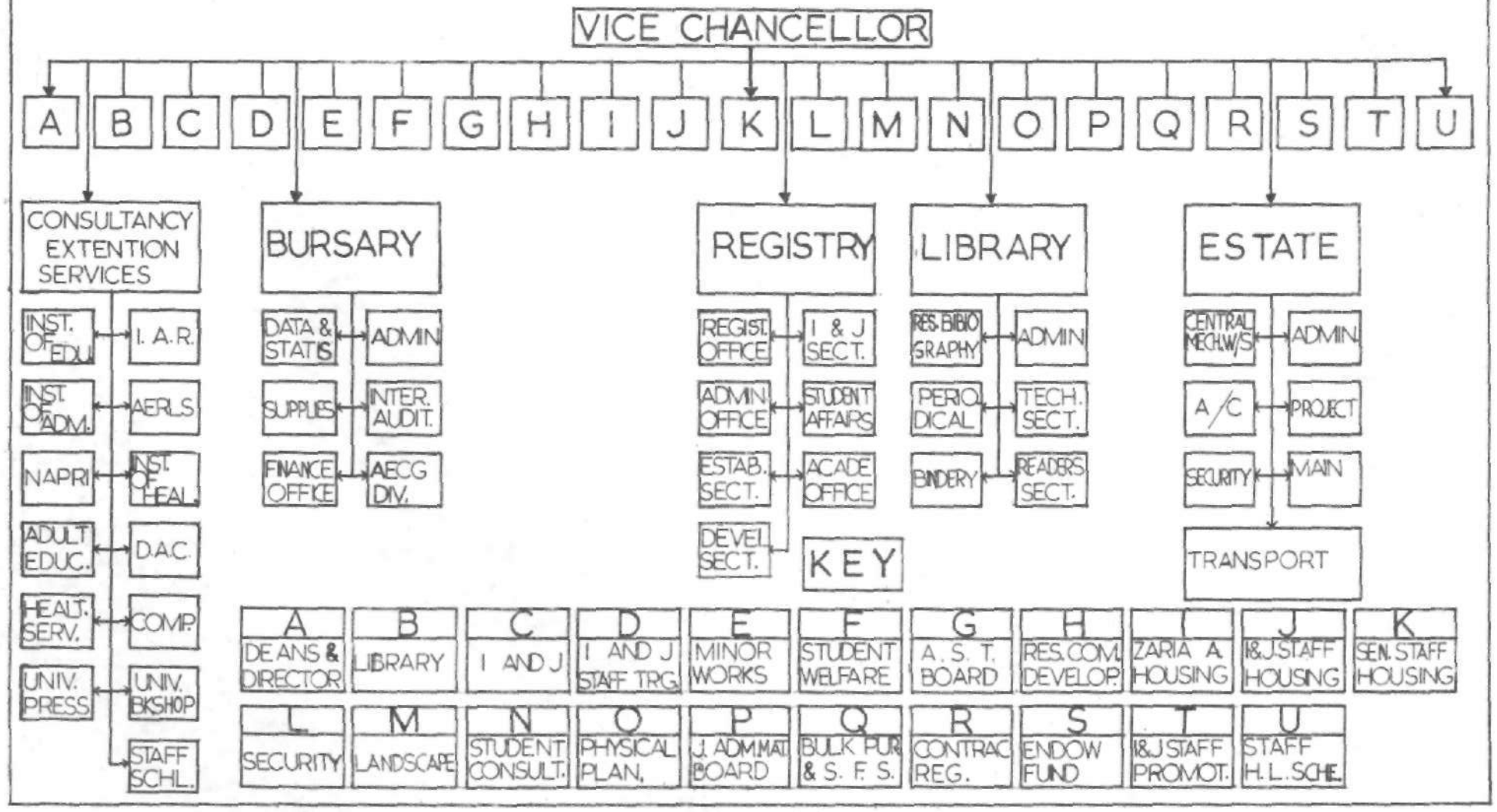


CHART B

A. B. U. OPERATIONAL STRUCTURE



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