

Beyond academic freedom: the deepening crisis of university governance in Nigeria

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Abstract

The Nigerian University system has been enmeshed in deep Crises. It is a system which academic freedom and social justice has eluded. As a demonstration of its institutional responsibility, the university system has ever since been searching for enviable paths out of the crises culminating in the devotion of substantial portion of her resources to research on university governance. This paper is another light in the tunnel in the continued search for the way out of the Crises. The paper is situated within a theoretical paradigm of embattled trinity linking university governance, Academic Freedom and intellectual responsibility. Drawing illustration from University of Ilorin, the paper finds out that the Nigerian state and University Management have colluded to erode academic freedom in Nigeria and that some elements of decay has internally rocked the rank and file of the intellectuals. This implies that there is a third party to destruction of Academic Freedom in Nigeria and this is typified by ASUU. The paper therefore suggests that ASUU must have to look inward to address its internal contradiction if its determined struggle for freedom must yield dividends. It must also be self-sustaining in terms of funding if it must be out of the cleave of the state as dictated by the nature and character of the state which already lacks autonomy.

Keywords: academic freedom, university governance, deepening crisis, social justice, embattled trinity, intellectual responsibility, ASUU, internal contradiction, character of the state, Nigerian state, university autonomy, university management, Kampala declaration, African charter, ethics, senate, senate conducted examination, NUC, lessons learnt

1. Introduction

The theme of this paper – Academic freedom and social justice in Nigeria – is no doubt very topical and timely. This is because for years now, the Nigerian academy has been in a deep-seated crisis. The Social Science Academy of Nigeria (SSAN), in an editorial comment, laments that “Nigeria’s educational system is presently in a deep, infections and outrageous crisis that cries, loudly and painfully, for attention”^[1]. As a demonstration of its institutional responsibility, it has continued ever since, to search for enviable paths out of the crises through the devotion of substantive portion of its resources to researching and publishing, as well organization of conference on University governance in Nigeria^[2]. Despite these advances, the Nigerian academy remains in crisis. While the crisis is multidimensional, one particular area that has continued to gain increasing attention and recognition is the question of academic freedom. This attention, is arguably, not misplaced, given the fact that from the time immemorial, academic freedom has been part and parcel of the University architecture. It was indeed at the primary of its very foundation^[3]. Whatever it may connote, since it has been considered so pivotal to the effective functioning of the University, its perversion in any form justifies the level of attention it has continued to attract.

But, beyond the question of academic freedom, as important as it may be, are there no other dimensions to the crisis of the academy in Nigeria? If the answer is in the affirmative, have we ever wondered how such dimensions explain the labyrinth of academic freedom in the country. By academic freedom, what sort of freedom do we refer to; one exclusively restricted to only academic concerns or the entire University governance? Are such freedoms exclusively independent of certain prescribed and well-established academic

responsibilities? These are pertinent questions that must be answered if justice would ever be done to the issue at stake. The main objective of this paper is to thoroughly engage and give insights into these questions.

The paper begins with a theoretical statement, showing the relationship among what I called the “embattled trinity” – University governance, academic freedom and intellectual responsibility. It then proceeds with an illustration from the University of Ilorin epochal event, which has come to be characterized, rightly or wrongly, as the height of the violation of academic freedom in Nigeria. This is followed by an examination of the deepening crisis of University governance in Nigeria. The last substantive part of the paper draws some lessons to be learned from the Ilorin episode, before concluding.

Theoretical framework

The question of the University governance is central to the understanding of academic freedom. Equally central is the character of the Nigerian State within which the system has to operate. University governance, as a concept, is intimately connected with wider debates about managerialism, collegiality and accountability^[4]. In this context, managerialism represents an element of the new public management, which emphasizes:

The efficient and disciplined use of resources, the achievement of value – for – money and increased productivity. All this is to be achieved through the use of systematic planning, organization and control, the measurement of achievement against declared objectives, and often too in the light of comparison across institutions. The role of management is considered vital to the realization of these aims and the model of

management, which inform this ideal is that of the large business corporation ^[5].

Earlier, the governance role has been conceived thus;

The governance role is not concerned with running the business of the company, per se, but with giving overall direction of the enterprise, with overseeing and controlling the executive actions of management and with satisfying legitimate expectation for accountability and regulation by interests beyond corporate boundaries. If management is about running business, governance is about seeing that it is run properly ^[6].

The foregoing expositions raise the question of who governs the University in Nigeria, the government or University management. While the responsibility for the governance of the University in Nigeria is shared by the government and University management, the role of the state (government) seems to be much more dominant. This is perhaps; due to the fact the state is dominant both in terms of ownership, funding and control. Consequently, University governance in Nigeria cannot but radiate the behavioral traits of the Nigerian State. The Nigerian state is not only rent seeking, but parasitic, predatory and prebendal ^[7]. For these reasons, it has been unnecessarily too devoted to extractive, rather productive ventures. It is within this context that one can adequately situate and understand the crippling and disabling state of academic freedom in Nigeria.

As a concept, academic freedom first and foremost, connotes “freedom to think in peace, without the distractions of worldly commitments” ^[8]. It extends to University affairs generally, and not simply to the discipline in which the academic engages ^[9]. In a broader conception, academic freedom has been seen as “the freedom of members of the academic community, individually or collectively, in the pursuit, development and transmission of knowledge, through research, study, discussion, documentation, production, creation, teaching, lecturing and writing” ^[10]. On its own part, the *Kampala Declaration* and the *African Charter* posits that “no African intellectual shall in anyway be persecuted, harmed or intimidated for reasons only of his or her intellectual work, opinions, gender, nationality or ethnicity” ^[11]. It further avers that:

Every African intellectual has the rights to pursue intellectual activity, including teaching, research and dissemination of research results, without let or hindrance subject only to University recognized principles of scientific inquiry and ethical and professional standard ^[12].

These definitions suggest that academic freedom is largely intended to provide and guarantee conducive atmosphere for scholarly activities particularly in the academic community. Academic community refers to those engaged in academic activities – studying, teaching, researching and publishing – in institutions of higher learning. In that case, academic freedom applies to students of higher education, as it does to the academics. Although it covers the entire specter of University affairs, it is much more related to the intellectual to the

intellectual responsibilities of scholars and students. And under an ideal situation, it should be protected against all odds. However, one must note that no society can toy with the idea of absolute freedom in whatever sense, be it of the press, politics, economics, and/or academic. Granting such a blanket freedom without some control measures may end up being suicidal. This explains why in political theory, rights are generally seen as corollaries of duties.

This takes us to the dimension of intellectual responsibility. Intellectual responsibilities represent the basic duties expected of the intellectuals. Intellectuals are those who cherish and pursue the truth and knowledge for their own sake. Montefiore define it as “anyone who takes a committed interest in the validity and truth of ideas for their own sake” ^[13]. Taking a functional perspective, however, said defines intellectuals as those engaged in the production and distribution of knowledge ^[14]. From this position, the task of the intellectuals is therefore essentially that of intellectual responsibility to, and for, the pursuit and defense of the truth and of the conditions that make them possible ^[15]. The other responsibility of the intellectual is generally referred to as social responsibility, that of “...political involvement, with coming out of laboratories and libraries” ^[16] our ultimate concern here pertains to the former, the task of projecting and upholding the truth, “the whole truth” ^[17], whatever the odds. It is this truth that “legitimizes our knowledge activities in higher education” ^[18]. The pursuit of the truth should be geared largely towards the direct teaching, research, publication and community services. This is necessary because they constitute the foundation of the intellectual tradition that enhances the fulfillment of the cardinal goal of higher education. This goal basically has to do with the generation, publication and dissemination of knowledge through research ^[19]. For these to be enhanced and sustained, greater emphasis must be on respect for quality and ethical challenges. Without these, the body of knowledge so generated, rather than ameliorate societal condition, may exacerbate it. This calls for professional development for transformative learning, teaching, research and publication ^[20]. Besides, an intellectual that is worth its salt should be able to maintain certain professional/teaching ethics. These ethical issues, as articulated by the Josephson Institute of Ethics are as follows: ^[21]

- (a) **Trustworthiness:** honestly integrity, promise-keeping, loyalty;
- (b) **Respect:** autonomy, privacy, dignity, courtesy, tolerance, acceptance;
- (c) **Responsibility:** accountability, pursuit of excellence;
- (d) **Caring:** compassion, consideration, giving, sharing, kindness, loving; and
- (e) **Justice and fairness:** procedural fairness, impartiality, consistency, equity, equality, and due process.

All the foregoing comes together to constitute academic or intellectual responsibility. The enjoyment of academic freedom therefore largely depends on the discharge of these responsibilities. Yet, we note that the prevailing environment of freedom also takes heavy tolls on the performance of these duties. A critical factor the patterns of interaction between the two forces can therefore be located in the other dimensions of the deepening crisis of University governance in Nigeria. Before that, let us comment briefly on the state of academic freedom in Nigeria.

2. The State of Academic Freedom in Nigeria

In attempting to decipher the state of academic freedom in Nigeria, scholars and commentators alike have shifted attention to the crisis that almost rocked the boat of the University of Ilorin a few years back. This focus of attention can be justified for a number of reasons. For one, the magnitude of the crisis, measured in term of its number of “casualties” and the specter of associated intrigues, makes it a matter of grave concern. At least, more than 40 academic staff was unceremoniously sacked due to the face-off between the University management and the local chapter of ASSU of the University. Those affected included senior academics, no less than professors of long service years. Secondly, the fact that the University management courted and found the favour and support of the visitor, President Olusegun Obasanjo, against all odds especially popular resentments from the civil society, including the mass media, portrays the matter as a kind of conspiracy between the Nigerian state and the manager of the University against the popular will. This is negation of democratic ideals by all standards. Moreover, the mere fact that a sizeable proportion of those affected by the sack were of a popular “ethnic stock”, but more of a particular State – Kogi – influenced public perception of the exercise in terms of ethnic or state cleansing. This perception was to later gain increasing acceptability following the pattern of recruitment to fill the vacuums created by the exit of the affected staff. It was such that gave absolute dominance to the Ilorin people in a claim of attempting to redress the imbalance of the past ^[22].

Given the foregoing revelation, the Ilorin case will definitely remain an epochal event in the discourse of academic freedom in Nigeria for a very long time. As it is a matter of national deliberation across Nigerian Universities today, its effects will continue to reverberate and last beyond its occurrence. Nevertheless, there is need to reflect very deeply to probe into why a University authority can sack over 40 “intellectuals” and escape with it, despite all odds. This, in our own view, suggests some internal contradictions in the framework employed by ASSU to engage its management.

For the avoidance of doubt, there was a substantive court injunction, according to my source, issued by a competent court of law, restraining ASSU from continuing with the local strike pending the final determination of the case brought before the court by a section of ASSU, the “loyal” faction ^[23]. But in its own wisdom, ASSU decided to ignore the court order and proceeded with the strike. Again, as they continued with the strike, there was a call for national strike by the national Secretariat of ASSU. The Unilorin Chapter signified its intention to partake in the national strike. On this notes, the University management demanded that they first call-off or suspend the local strike before joining the national one. Armed with these developments, the University management issued a register with a deadline for all academic staff to either back out of the strike or consider themselves (defaulters) sacked. As the deadline approached, many academics succumbed to pressures and signed the document. Those to the “extreme left” maintained their hard-line posture by refusing to sign. This refusal appears not to be strategic. It can be likened to an army general who leads about 500 troops into a battlefield. With the capture of about 300 of his men, the law of strategy requires that he should beat tactical retreat to enable him remobilize and rearm his men. But rather than do this, he continues to advance. With what is he going to win the battle?

Related to our discussion, when ASSU discovered that most of its men had succumbed to pressures, the strategic thing for ASSU to do was to beat a tactical withdrawal by “suspending” the local strike to participate in the national one.

To make matters worse, the leadership of the then ASSU went ahead to recruit supporters from other Universities particularly Federal University of Technology, Akure, to obstruct a Senate Conducted University examination. This seriously irked the students who had to respond by attacking “their lecturers” for attempting to disrupt their examination ^[24]. Again, this was illogical. It certainly contradicts all known principles of integrity and discipline. Having known this, the University management went ahead to sack those involved, not for participating in the National ASSU strike that was called in the thick of the crisis of the local chapter, as widely reported, but for violating a standing University order and disrupting a senate conducted examination ^[25].

Yet, one cannot but take a swipe at the manner in which the University responded. Although the ASSU was grossly lacking in strategy, it was not the duty of the University examination by ASSU, though nauseating, should have been resolved in a different way. Indeed, one has a deep feeling of a kind of hidden agenda in the whole crisis. Subsequent events, particularly the immediate recruitment drive to fill the vacuums by mostly Ilorin people, attests to this fear.

At this juncture, it should however be pointed out that some of the cases were not part of the ASSU – management face-off. Some were largely due to several other factors such as wrong qualification, wrong appointment, wrong placement, violation of ethnical rules and so on. For instance, there were cases of some who came in as Graduate Assistants, and who have been in the system for fifteen years without additional qualification, except may be professional ones (MPA, MBA, MILR etc). These are not academic degrees. But due to one reason or the other, they have been promoted to the level of Senior Lecturers. Some other who studies educational related courses found their ways to the social sciences and have gained promotion to Senior Lecturer level. There were also those who have reportedly abdicated their duty post for some years (1-4) in search of greener pasture outside the country without following the due process. These and related cases were redressed and further heighten the tension in the system ^[26].

Be that as it may, in the event of such an intractable crisis, one would have expected the state to intervene as an unbiased umpire, with little or no vested interest. But as it turned out, this was not to be so. Given the level of resources at the disposal of the University management, it was able to penetrate the rank and file of the National University Commission (NUC) and the presidency. Having won the sympathy of these principal agencies, it felt free to handle the matter the way it felt ^[27]. Following the sack of the lecturers, it proceeded to pay their entitlements almost immediately. My sources argued beyond reasonable doubts that most of the victims have collected their benefits, possibly as a result of financial crisis that attended their loss of job ^[28].

In whatever way we look at the issue, it constitutes a flagrant violation of academic freedom in Nigeria. That the Nigerian state, a democratic one for that matter, would support such anti-democratic decisions by upholding it makes it the more bewildering. It goes a long to tell that the future of the academy in Nigeria is very bleak. In fact, it is on the fun! How did we get to this unenviable path? This is our next concern.

3. The Deepening Crisis of Nigerian Universities

While academic freedom is no doubt pivotal to the success of higher education in Nigeria, there is need for us to begin to think beyond it if we must identify the real problems and the paths to the sustainability of higher education in Nigeria. As noted earlier, the rape of academic freedom in Nigeria can better be appreciated if situated within the framework of the deepening crisis of University governance in Nigeria, itself a function of the character of the Nigerian state.

I take as a point of departure the process of recruitment into the academics. As you all seated should have known, all known principles of openness, fairness, representativeness, qualification/quality etc. have come to occupy the back seat. In their place, forces of identity such as ethnicity, religion and several other political considerations have come to the fore. In the circumstance, the best brains are sacrificed to roam the street while mediocre fill the system. The result is the dearth of intellectuals, even in the midst of plenty. Implications of the foregoing are obvious. Not only is the quality and quantity of research outputs from our Universities declining, the quality of teaching too has nosedived^[29].

In order to keep afloat, scholars that find themselves in this category have to resort to cringing, engage in sycophantic acts to court the favour of University management. This in itself has impacts on the strength of ASSU, as most often. University management capitalizes on such opportunity to create sharp, a times irreconcilable divisions in the rank and file of ASSU. In this situation, academic freedom or not, such scholars continue to enjoy good patronage from the management and may therefore be willing to assist University management in frustrating any genuine pursuit of academic freedom. This is because; such a regime of freedom may mark the end of their rent benefits from a perverted system. This is one of the sad realities of the deepening crisis of Nigerian Universities.

Moreover, there is also the question of the mortgaging of ethical standards in the pursuit of the goals of higher education, which are teaching, research and publication. With respect to journal publications, being the most esteemed outlet for the dissemination of research outputs, studies have shown that the process has been perverted in Nigeria. Today, it is not uncommon to see journals that are hardly peer-reviewed, thoroughly edited and well circulated. Since promotion has come to be hinged on the number of academic publications, several criminal means have been devised to cope with the challenge. These include the phenomenon of volume 1, number 1, the use of roadside printers to avoid rigorous academic scrutiny, the commercialization and monetization of journal publications and low readership. Indeed, most Nigerian journals do not go beyond their institutions of publication and largely draw contributors also from within^[30].

A related dimension of the deepening crisis of the University in Nigeria pertains to the issue of funding. The funding of education in Nigeria has continued to dwindle and fluctuate. This is not unconnected with the near total reliance on the government for funding. The effect has been the collapse of basic educational structures and facilities such as classrooms, library, instructional material and related social amenities. The welfare needs of the academics, including their "take home pay", have also suffered in the process. Consequently, scholars have had to devise alternative means of coping with the stress and strain of this development. Prominent among such survivalist strategies include the resort to the production of

handouts and other extortionist strategies. With this development, intellectuals tend to abdicate their core responsibilities, devoting more attention to material benefits.

The situation has been complicated by the entrenchment of corruption into an ivory tower, especially at the management level. As we all know, corruption is antithetical to human development^[31]. Having turned University management into a kind of empire, manned by Emperors, the Vice-Chancellors, their ultimate concern would appear to be that of milking the system dry, with little or no concern for the existence and sustenance of the system. This explains why some Universities prefer investing in trivialities at the expense of the core values of the Universities. Little wonder, Festus Iyayi describes the caliber of Vice-Chancellors in the Nigerian system as so far produced as "monsters and demons"^[32]. The result is the deadly competition for the office of the Vice-Chancellor, a position only available for the highest bidder.

We can continue on and on. But for the little we have said, the message is that while the Nigerian state and University management have colluded to erode academic freedom in Nigeria^[33], such an argument overlooks the decay that has internally rocked the rank and file of the intellectuals. That is to say, there is a third party to the destruction of academic freedom in Nigeria. The academic staff as typified by ASSU represents this party. Granted that ASSU has the legal right to pursue and defend the interests of its members, it has to be done with moderation. This can be engendered within the framework of the law, focused, calculated and sacrificial leadership that knows what to do, when and how. Here comes in the issue of strategy. Wars are prosecuted and won only if predicated on good strategy, with adequate arsenal. Since he who comes to equity must come with clean hands, ASSU must have to look inward to address its internal contradiction, if its determined struggle for freedom must yield dividend. This is however a tall task as the crisis is deeply rooted in the character of the Nigerian state.

4. What Lessons Have We Learned?

The preceding analysis opens us to some basic issues relating to academic freedom, and by extension, labour-management relations. For one, academic freedom represents one of the core values and virtues of higher education. With it, an environment conducive to the pursuit of the cardinal goals of higher citadels of learning is provided. When hampered, the level of productivity is negatively affected. As suggested by the paper, it would seem that academic freedom has been an object of abuse in Nigeria, with the state and university management as the chief culprits. Nevertheless, the academic community has equally contributed in no small measures to the crisis. This is made manifest by the shirking of academic/intellectual responsibilities by most scholars. This is due largely to the deepening crisis of university governance in Nigeria.

Moreover, the question of restoring academic freedom certainly goes beyond the capability of ASSU, though it has some major roles to play. Her roles include the sensitization, education and mobilization of members and the general public to the evils associated with the erosion of academic freedom. In the course of doing these, it must first of all examine itself to identify and thoroughly engage the basic fault line of cleavages within its rank and files. This will task the ingenuity of its leadership, which must be dedicated, tactical, innovative

and sacrificial. Attempting to lay double standards will not help the cause of its struggle. The issue of fractionalization into the pro and anti-management camps is also a big minus. It should equally be noted that even in this University, as in several others, it is not totally impossible to find cases of wrong appointment, wrong placement and/or promotion, deliberately perpetuated for no other reason than chronic opportunism. Whether we like it or not, one day, as it happened at the University of Ilorin, a “demon or monster” will emerge to deal with such cases. As usual, the cry of the rape of academic freedom will then rent the air. But, it may already be too late to cry when the head is already off. Such cases should be handled internally now before the coming of the “evil days”.

The analysis also suggests that as much as the university system is a part of the Nigerian state, it cannot but share out its crises. As at today, the Nigerian state is grossly lacking in terms of autonomy. Whereas, University autonomy is closely associated with academic freedom, the former is in high deficit in Nigeria. For the University to be autonomous, it must be independent of vested/special interests, which remote the system from behind the scene. It should also be self-sustaining particularly in terms of funding and be able to sustain its cherished tradition and culture^[34]. The extents at which these are entrenched are central to the level of academic freedom that the system may enjoy.

In sum, the responsibility for academic freedom in Nigeria should be seen as something beyond the domains of the government and University managements. There is a third party represented by ASSU. For academic freedom to be restored in our Universities, therefore, the “embattled trinity”, that is the state (government), University management and ASSU, must collectively work together, and individually sanitizes their internal crisis and contradictions. These are the lessons to be learned.

5. Concluding Remarks

In this paper, what I have attempted to do is to open fresh debates on academic freedom in Nigeria by introducing new dimensions to it. I have argued that one way of confronting the issue is by going beyond the conceptual attraction of the concept of academic freedom to explore the deepening crisis of the University in Nigeria. This approach has revealed that this other dimension explains the labyrinth of academic freedom in the country. I have also argued that academic freedom, though a central component of the University system and tradition, is not independent of certain prescribed and well-established academic/intellectual responsibilities. While the state (government) and University management carry greater responsibility for its declining state, the ASSU cannot be totally exonerated. Indeed its contribution to the rape of academic freedom in Nigeria has soared in recent years. The challenge of redressing the problem therefore is a matter of collective/shared responsibility by the embattled trinity. We however note that this is going to be a very Herculean challenge. This is because, whatever the crisis bedeviling the University system today is a manifestation of the crises of the Nigerian state. The culprits have only cashed in on the opportunity to satisfy their selfish ends. A greater challenge is therefore that of redressing the character of the Nigerian state to make it autonomous, productive and representative.

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