

ACADEMIC FREEDOM AND ITS RELEVANCE IN TERTIARY INSTITUTIONS IN NIGERIA

By

OPUTA, C'FINE CHUKWUMA (Ph.D)

&

JOYCE IYIEKE_ JAJA (Ph.D)

Department of Educational Foundations,
University of Port Harcourt,
Rivers State, Nigeria

&

YINKORE, EBINIPERE BLESSING (Ph.D)

Department of Educational Foundations,
Ignatius Ajuru University of Education,
Rumuolemeni, Rivers State, Nigeria

Abstract

Academic freedom in tertiary institutions in Nigeria is gradually being threatened by government and societal encroachments. Such interference from government could be seen for instance in the University quota system for admission of students, appointment of Vice Chancellors, lecturers, non-academic staff and generation of university courses and contents for students among others. Where this is allowed to continue, the beauty of academic freedom in schools may be gone in no distant time. In order to proffer solution to Nigeria's many societal problems. Some persons have argued that what the country needs presently is a solid human development for all its citizens, which presently is at its lowest ebb due to decadence in values. There is the growing belief that human development is achievable if the tertiary institutions are allowed to practice academic freedom, a situation which grants lecturers, students and the academic institutions free access to knowledge, research and operations without interference from government or other bodies, creating in the process, new ideas that can be developed and freely exchanged. Likewise, academic freedom enables lecturers and students freedom to teach, study, pursue knowledge to any length; investigate assertions, statements, opinions and theories and express their findings without interference, in modest ways, which enhance academic excellence. Moreover, institutions through this channel determine their hierarchy in the form of governing council, senate, faculties, departments, etc. and determine the appointments of staff, curriculum, course contents and admission requirements among others. These help in promoting unhindered teaching and learning processes in classrooms and attaining tertiary institutions' goals and objectives. However, where academic freedom is threatened or absent, there may be inability of universities to

pursue sacred functions, scholars being forced to owe loyalty to the party in power, with the consequence of political consideration over truth as the decisive factor in ascertaining intellectual issues, loss of job security, university councils becoming rubber stamps for government decisions and the inevitable fall in academic standards, leading to poor academic products and decaying/problematic society. It was thus suggested among others that universities should be allowed the opportunity to enjoy the principles of academic freedom, they should be given free hand to ascertain the criteria for admitting students, regulate courses of instruction as well as maintain the culture of democratic principles.

Introduction

The tertiary institutions are considered citadels of learning where students are groomed by lecturers so that they can fulfill their dreams, aspirations and destinies in life. They constitute the highest level of the educational ladder after those of primary and secondary schools; hence, great interest is invested in them by government and other education stakeholders including private individuals; since they help in building nations.

Essentially, tertiary institutions exist to implement the basic functions of teaching, research and services to the society. This indicates that they comprise people, who not only search for knowledge but channel their findings to the larger society in order to promote the well-being of the citizens. Similarly, tertiary institutions assist in the transmission of knowledge and training of human minds, through scholarly and research activities which could result in the advancement of knowledge. Hence, Adagbesan (2011) claimed that the tertiary institution is a community of scholars which believes in the supremacy of the mind over matter and the subject of everything to the intellect. Therefore, tertiary institutions refer to where concepts are hallowed, revered and preserved for ages and where traditions are subjected to serious scrutiny for consolidation, implementation and generation of new ideas that will benefit the society. Interestingly, at the fore-front of these research studies and knowledge creation are the lecturers.

Lecturers constitute essential members of an educational institution who perform critical roles in educating the learners. They are professionals who assist to transform school policies into action and help in the growth and development of individuals. Among their functions are to help in molding the character of students, transmit knowledge, convey information, appraise the school environment and facilitate effective teaching and learning processes (Amadioha, 2017; Ile & Mekui-Ndinele, 2021). Lecturers are bridges that make teaching and learning possible; and are construed as builders whose performances depend on their qualification, preparation and experience. The availability and effectiveness of lecturers determine the performances of students in school; hence the notion that the quality of an education system is dependent on the quality of its educators. Eventually, they are evaluated through their class room performances (Ibrar & Khan, 2015).

The performance of lecturers can be considered the skill, knowledge and competence with which they implement their duties and responsibilities (Falaye & Awopeju, 2012). It connotes fulfilling one's obligation and duties and the accomplishment of set goals and objectives. This includes disseminating knowledge, providing guidance and counseling services to students for

both on and off school activities, etc. It shows that the performance of lecturers is ultimately measured by the performance of their students. That is, how far students will go in their class activities, examinations and projects / dissertations / theses depends on the efforts of their lecturers in terms of lectures, counsels, supervision, etc.

Students are learners whose quest in institutions of learning is to acquire knowledge, improve themselves and become valuable members of a given society. They are the essential reason for any education set up as without them, no educational institution can exist or function. The more students learn, the better they become. Consequently, tertiary education (universities and polytechnics) students need to be given all the necessary and conducive learning environment in order to be morally, economically and socially sound (Armstrong, 2007; Mugizi et al, 2015).

Lecturers give their best in classrooms consequent on many factors such as academic freedom, adequate remuneration, infrastructure, institutional administration, job security and recognition. This means that the school environment is very important in the performance of lecturers, students and the school administrators. While a healthy school environment laced with academic freedom among virtues promotes success, a poor school environment hinders it (Audu et al, 2013; Rostan, 2010). This paper shall however, concentrate on academic freedom; even as it constitutes one of the biggest measures for lecturers' and students' performances in classrooms.

• **Concept of Academic Freedom**

Academic freedom shows the freedom of lecturers, teachers, instructors, students and academic institutions to teach, study and pursue knowledge wherever it may lead, without undue interference from government, institutions or public pressure. It is the freedom to engage in a whole range of activities involved in the production of knowledge, including choosing a research focus, ascertaining what to teach in the classroom, presenting research findings to colleagues and publishing research findings (Audu et al, 2013).

In 1940, the American Association of University Professors (AAUP) and the Association of American Colleges and Universities published a *Statement of Principles on Academic Freedom and Tenure* which has become a professional standard of academic freedom, endorsed by more than 180 scholarly and professional organizations and incorporated into hundreds of college and university faculty handbooks; which states thus:

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties ... Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter that has no relation to their subjects... (Euben, 2002).

From the above statement, lecturers should endeavour to avoid controversial issues not related to the subject. When they speak or write in public, they may be free to express their opinions without fear from institutional censorship or discipline but they should demonstrate restraint and lucidly state that they are not speaking for their institution (Arikewuyo & Ilusanya, 2010).

Academic freedom is consequently, both a freedom and a responsibility – freedom to follow knowledge without interference but the responsibility to preserve both the standards of academic and societal norms.

Furthermore, academic freedom has been construed as a major condition to achieve essential goals that facilitate knowledge, the quality of research as well as the encouragement and support of initiative (Rostan, 2010). It is also connected to professional autonomy, as regards the pursuit of truth without fear or negative sanctions. Relatedly, institutions have no restriction from religious or political authorities, including their freedom to organize their work. It also enables various institutions to ascertain research and teaching goals and priorities to set standards and to assess and steer academic activities.

According to Owusu-Ansah (2015), academic freedom requires individuals, authorities and government not only to enable scholars work without restraint but also prevent any interference with this freedom. Also, academic freedom appears to require something more, that the society creates conditions in which novel ideas can be generated, developed and freely exchanged.

- **Dimensions of Academic Freedom**

Academic freedom may be observed in four dimensions which are the individual, institutional, professional and student. (Downs, 2009; Owusu-Ansah, 2015). The individual academic freedom protects an individual lecturer in a tertiary institution. In many cases, it aligns with the normal ways that faculty boards, heads of department and deans operate when they consider who to hire, promote, give contract or tenure, give salary increase and who gets his employment contract terminated. Likewise, individual academic freedom demonstrates how lecturers relate with their university administration.

The institutional academic freedom protects tertiary institutions from interference by government, a right that applies to the community of scholars, not to separate faculty (Ile & Mekuri- Ndimele, 2021). It also enables tertiary institutions the reserve in selection of faculties and students, design of curriculum, course contents for the different classes or levels as well as selection of staff and students. Moreover, issues in curriculum and the contents of the courses are agreed upon by the departments and academic board. However, institutional academic freedom does not protect individual lecturers and students with unorthodox or negative views from dismissal by the university administration but it does protect them from dismissal by politicians. Thus, in view of institutional academic freedom, tertiary institutions can decide for themselves on academic grounds who may teach, what may be taught, how it shall be taught, textbooks to be used, syllabus for courses, institution of academic rules and regulations, maintenance of discipline and who must be admitted to study (Downs, 2009; Euben, 2002).

Again, in as much as the 1994 AAUP declaration seemed to embrace both individual and institutional academic freedom, it brings out a third form of academic professionals such as lawyers, doctors, architects, among others into departments supported by their national organizations and dependent on scholarly disciplines. These departments have garnered some

powers that make it essential for them to be consulted whenever the need arises for some major policy decisions to be considered and implemented.

The fourth academic freedom relates to students which was addressed in AAUP's 1967 joint statement on Right and Freedom of students (Ramsden, 2005; Assien & Lawal, 2007). It demonstrates the essence of displaying critical judgement that strongly embraces students' right to due process and fair inquiry; which include the right to take an exception to data and views offered in classrooms, right to conduct unbiased research, right to expression, etc. Academic freedom ensures that tertiary institutions are unhindered / unrestricted in the areas of inquiry, which enables students and scholars to challenge the conventional wisdom of any field which includes education, art, politics and science.

- **Lecturers' Effectiveness and Academic Freedom**

Lecturers' effectiveness has been conceptualized and operationalized differently by numerous authors and scholars over the years. It is an abstract construct that cannot be pointed to or measured directly, however, most scholars agree it is a multidimensional construct implying that it has multiple components and dimensions (Falaye & Awopeju, 2012). In the opinion of Zainudin et al (2010), lecturers' effectiveness is one of the critical factors in the success of any educational programme. This is because they are directly involved in the educational process and are responsible for imparting to students knowledge and acceptable behaviours. Thus, lecturers' effectiveness in tertiary institutions where academic freedom is observed, is a major aspect to focus on to produce world-class teaching and to maintain talented human capital.

While an abstract concept, most authors agree that lecturers' effectiveness constitutes indicators that can be measured directly. Teh et al (2011) maintained that at the basic level, lecturers' effectiveness can be distinguished into a process and an outcome aspect. The process also called the behaviour aspect, connotes what people do while at work. Thus, the behaviour which people show can be used as indicators of lecturers' effectiveness. Examples of such behaviour include presentation of learning experiences, preparation of lesson notes and utilization of illustrations to concretize class instructions. The outcome aspect refers to the result of lecturers' behaviour. These results could help in improving students understanding of abstract concepts, increased performance in examination, problem-solving skills, critical thinking, etc. (Okogbaa & Inabiri, 2019).

Lecturers' effectiveness therefore is the capacity of lecturers to engage in different aspects of teaching such as subject mastery, lesson preparation and presentation, effective communication, as well as personal interaction with students and other members of staff. This multidimensional approach is also recognized in the definition of Awotua-Efebo in Okogbaa and Inabimi (2019) as behaviours or actions that are relevant to the goals of the educational institution. It shows that lecturers' effectiveness should include only behaviours that are relevant to the instructional goals.

According to Aina (2013), an effective lecturer as one who consistently achieves goals which either directly or indirectly focus on the learning of the students. Hence, lecturers' effectiveness shows the degree to which a lecturer achieves the desired effect upon students.

This may be differentiated from lecturer competence which is the extent to which the lecturer possesses the requisite knowledge and skills; and lecturer performance as the way a lecturer behaves in the process of teaching. Lecturers' effectiveness equally is the achievement of all or most of the learning objectives and reduction of differences in cognitive levels among the students just as effective teaching is the type of teaching characterized by the exhibition of intellectual, social and emotional stability, love for learners and positive disposition towards the teaching profession and ability to inspire good qualities in students. Also, Darling-Hammond and Adamson (2010) defined an effective lecturer as one who is intellectually challenging, motivating students, setting high standards and encourages self-initiating learning. Such lecturers attempts to achieve the goals which they set for themselves or which have been set for them by others such as ministries of education, legislators and other government officials and school administrators.

Primarily, the notion of academic freedom confers on staff of higher education institutions respect among equals in the society in which they find themselves. University staff are consequently regarded as embodiment of knowledge disseminators. The function of community service is an expectation that the members of the community require from such individuals.

Likewise, the enjoyment of academic freedom in higher education institutions enables freedom of speech. Norms of civility are expected to be used in expressing ideas or beliefs both in teaching students and conducting research regardless of how insensitive the subject matter might appear. The university and its staff can face sanctions if it is considered to have made insightful pronouncements about an individual or about a political issue. Hence, they are obliged at every time to be accurate, show respect for the opinions of others and should make every effort to assert that they are not speaking for the institution.

Also, the practice of academic freedom limits researchers and scholars to copy someone else's work without acknowledging the source. It is imperative that further research into previous findings may reveal other outcomes. It is however unacceptable for a researcher to falsify data to get a result.

• **Challenges of Academic Freedom and the Way Forward**

Though the government of Nigeria allows academic freedom in the universities, there are some challenges. In fact, the government itself has put an impediment in the way of this freedom with the proviso that it would only respect those areas of academic freedom if they are in consonance with national goals.

For example, in the area of the admission of students, although universities are permitted to admit their own students, the government has given some guidelines which must be strictly complied with by the institutions. This is where the issue of quota system of admission comes in. Admission into Nigerian universities is under the umbrella of the Joint Admission and Matriculation Board (JAMB). In other words, though the universities do the selection of candidates, the entrance examination is centrally done by JAMB. Assien and Lawal (2007) averred that JAMB came into being as a central testing and placement agency in response to the problems of individual universities with regards to multiple applications by candidates and

multiple admissions. With the establishment of JAMB, the placement of candidates into the universities take into account the vacancies available in each institution, the guidelines approved for each institution by the proprietors and other competent authorities and the preference expressed for each institution and courses and following some stipulated guidelines. Recently, the issue of the carrying capacity of each university was also added by the National Universities Commission (NUC).

On the issue of appointment of staff, the universities are relatively free. Each university has a governing council, which takes care of appointment, promotion and discipline of staff. Arikewuyo and Ilusanya (2010) have observed that government in Nigeria does not often infringe on the power of the university councils to appoint, promote and discipline staff. However, there has been some instances particularly during the military era, when some lecturers were dismissed because the military felt they were not teaching what they were employed to teach.

In addition, some governments in Nigeria have removed vice chancellors for noncompliance with military directives, to the extent that a Major General was appointed as a sole administrator in a first generation university. This soon became a pattern with the appointment of Sole Administrators in ten universities since 1997. In University of Nigeria, Nsuka, for instance, 180 academic staff were unilaterally sacked. Many of them were also arrested, detained and charged with arson (Arikewuyo & Ilusanya, 2010).

In terms of education curriculum, Nigerian universities are still facing some challenges. This is due to the fact that curriculum and content of courses are relatively subjected to the approval of the National University Commission. Part of the functions of the NUC is to lay down minimum academic standards in universities, to accredit their degrees and other academic awards and ensure that quality is maintained within the academic programmes of the Nigerian University System. Consequently, all academic programmes of a university must be approved and accredited by the NUC before they are commenced. The implication of this is that the Senate of a university does not have absolute power over the courses of instruction in the university. Also, the NUC has laid down Minimum academic standard (MAS) for all programmes in the university system; hence, the visit of NUC to the universities to ensure that all courses are run in line with the approved Minimum Academic Standards (MAS). In this regard, Okojie (2011) stated that because there is no absolute freedom, universities are subjected to the scrutiny of their peers through the instrumentality of the accreditation exercises.

Probably, the area where Nigerian universities have enjoyed most academic freedom is in the area of research. The institutions, whether collectively or as individual academics have been conducting research and also advancing knowledge without interference or hindrance from the government (Arikewuyo & Ilusanya, 2010). The Nigerian government has indeed encouraged academics to conduct research and publish the findings of such research endeavour without any hindrances. This fact was attested to by Okojie (2011), when he noted that universities in Nigeria have enjoyed freedom in the area of research because they determine what to teach, how to teach without the intervention of government. In line with

this, the Federal Government of Nigeria (2014) agrees that all tertiary institutions shall pursue their goals through teaching; research and development; virile staff development; generation and dissemination of knowledge; inter-institutional cooperation; dedicated services to the community through extra-mural and extension services; a variety of modes of programmes including full-time, part-time, block-release; day-release, sandwich, etc.

Nevertheless, research has become cost-exorbitant, with limited Tetfund support for lecturers and practically none of students (Audu et al, 2013; Euben, 2002). Students in particular are made to go the extra mile in research works as they source for funds on their own. Government is supposed to fully fund research activities to any level in order to facilitate continual knowledge but this is not the case. It is a pity that after spending much to source for and gather research information, additional cost is required for publications.

In the observation of Academic Staff Union of Universities (ASUU), universities stand to suffer from the following dangers if academic freedom is neglected / ignored;

- Inability of universities to pursue sacred functions,
- Scholars being forced to owe loyalty to the party in power, with the consequence of political consideration rather than concern for truth being the decisive factor in determining intellectual issues,
- Loss of job security,
- University councils, becoming rubber stamps for government decisions; and
- Inevitable fall of standards (Ya'u in Arikewuyo & Ilusanya, 2010).

It is imperative therefore that all education stakeholders including government and school administrators should respect the doctrine of academic freedom. This is the true path to greater and stronger academic excellence in our institutions of learning in present dispensation.

Human Capital Theory by Adams Smith (1776), Developed by Gary Becker (1964)

Human capital theory was propounded by Adams Smith (1776) and was later developed by Gary Becker in 1964. It states that man's capacity to perform various tasks is dependent on the skills and knowledge inbuilt in him and external forces such as education, training and incentives which help to enhance his qualities. Human capital theory implies the aggregate stock of knowledge, competencies, social and personal attributes embodied in an intrinsic measure of economic value. It views individuals as economic entities who are relevant in an economy.

The basic concept of the theory is that investments in individuals can be measured based on the economic value that they are able to contribute to the society. In every society, there is the ever increasing need for growth; therefore, human capital theory establishes that there is a great relationship between the growth in the stock of a nation's human resources and the growth of national output. It is beneficial therefore that nations which want to achieve a specific level of socio-economic manpower resources, invest in their country's human resources. This means that educational systems should be able to produce the right type of

manpower (human capital) in the right proportion, quantity and time for national growth and development.

The education goal of every society centres on the development of its citizens to be moral and effective; having equal access to a qualitative education and building up persons who can be totally integrated into their immediate environment and other environment as stipulated in the National Policy on Education (FGN, 2014). This can only be achieved when qualified lecturers are engaged and encouraged to teach in educational institutions. A major problem lecturers and students are currently facing in their schools is limited academic freedom. The productive efforts of the work force in all social setting can be enhanced through the employment and proper utilization of qualitative manpower (lecturers); including according them their rights.

This theory is relevant to academic freedom as it relates to the proper management and respect for human resources. It further recognizes the efforts of lecturers in the academic world especially in the development of students. Consequently, human resources will be more effective when employed, qualified and trained lecturers are allowed to work in conducive environment which will help enhance their performances in classrooms. Such friendly environment includes allowing lecturers and students free access to scholarly research studies, publications and uninterrupted teaching and learning outcomes in schools. This further helps in facilitating quality output in tertiary institutions and the nation at large.

Conclusion / Suggestions

Consequent on the foregoing, it is apparent that for a meaningful university education and for Nigerian universities to achieve the goals for which they have been established, it is imperative for them to enjoy the principles of academic freedom. In this wise, the universities should be permitted free hands to govern themselves. This implies that the curriculum of the institutions would be guarded and monitored by their respective Senates. It is necessary that the universities are allowed to be run according to universally acceptable norms and principles in order to attain their objectives. Hence, the various organs of the university, such as Governing council, Senate, Faculties and Departments should be allowed to perform their statutory functions.

The role of the Joint Admission and Matriculation Board (JAMB) in the admission process may be reviewed. For example, obnoxious regulations which compel the universities to admit students on quota basis should be discarded such that JAMB will only be a clearing house and coordinating agency for university admission. By so doing, each university would be permitted to determine the criteria for admission as well as determine the quality of the candidates to be admitted.

Similarly, while it is desirable for the National Universities Commission (NUC) to perform its duty of assuring quality in the universities, the institutions should still be free to regulate their course of instruction and curricula through the Senate of each institution.

Equally, both the federal and state governments, particularly Visitors to the universities need to imbibe the culture of democratic principles. In this wise, the universities should be allowed

to govern themselves according to the laws and acts that establish them. Academic freedom should therefore be a fundamental human right of the universities. A situation whereby academics are summarily dismissed by Visitors without recourse to university councils must be discarded.

In the view of the Magna Charta Universitatum of 1988, for a university to meet the needs of the world around it, its research and teaching must be morally and intellectually independent of the political authorities and economic power. Such research should help in developing the students, lecturers, administrators (tertiary institution's human resources) and ultimately the society, for a better harmonious living

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