



**RELATIONSHIP BETWEEN LEGAL FRAMEWORK AND
MANAGEMENT OF FEDERAL UNIVERSITIES IN NORTH
CENTRAL STATES, NIGERIA**

**OSUOBENI EKOI AKPONIMISINGHA; YAKUBU, SANI Ph.D; AND
AGNES AJIBADE IYABO**

*Faculty of Education, Nasarawa State University, Keffi, Department of
Educational Management*

Abstract

*The study assessed the relationship between “Legal Framework and the Management of Federal Universities in North Central States, Nigeria. The study was guided by two objectives with research questions hypotheses. The research design employed in this study was the cross-sectional survey research design. The population of the study consisted of 373. The sample size of the study consisted of 68 respondents and it was selected using the multi-stage and simple random sampling techniques respectively. The researcher developed a questionnaire for data collection from the respondents. The questionnaire was tagged “Questionnaire on legal framework and the management of federal universities in North Central States, Nigeria” (QLFMFUNCSN). The instrument used for data collection was duly validated and it produced 0.66 as logical validity index. The instrument was pilot tested on 10 HODs and the coefficient of internal consistency of 0.88 was obtained. Descriptive statistics of mean and standard deviation were used to answer all the research questions while **Pearson’s** product moment correlation used to test all the hypotheses at 0.05 level of significance. The findings of the study indicated that The findings of the study showed that there is a significant relationship between enabling laws, appointment and dismissal of academic staff in the management of federal universities in North Central States, Nigeria and there is a significant relationship between enabling laws and monitoring and evaluation of federal universities in North Central States, Nigeria. The study recommended among others that Every university has enabling laws that guide the appointment and*

dismissal of academic staff in the management of federal universities, the study recommended that the National University Commission should sanctioned any university that fail deploy such existing laws when appointing and removing academic staff to enhance fairness and equity in handling of staff issues.

Keywords: *Legal Framework, Management, Enabling Laws, Appointment and Dismissal, Monitoring and Evaluation.*

Introduction

Universities in Nigeria are creatures of Law. The apex of the management structure within each university is the Governing Council, headed by the Chairman (Pro Chancellor) which is charged with the administrative functions in the areas of goal setting, policy formulation, staff development, general discipline, budget approval and liaison activities with the government. In the same vein, Ibukun (2017) posited that the main organ regulating the internal academic activities of the universities is the Senate, headed by the Vice-Chancellor and the Registrar as the Secretary. The Senate regulates the academic activities of the university following the general guidelines provided by the NUC. According to Mgbekem (2014), the universities in Nigeria are run through committee system which are either responsible to the Council or the Senate, among these committees are: - Finance and General Purpose committee - Development committee - Appointments and Promotion committee - Admissions committee - Academic Planning committee - Committee of Deans - Research Grants committee - Ceremonies committee among others.

Each Federal or State University is established by an Act or a Law enacted by the Federal or State Legislature (Oshio, 2016). The Private Universities are incorporated as legal entities and thereafter licensed by the Federal Government to operate as Universities under the Education (National Minimum Standards and Establishment of Institutions) Act (cap.E3 LFN 2004). The enabling laws of all universities specify the powers, functions and responsibilities of the various constituent bodies and functionaries of the universities (The Universities Miscellaneous Provisions Act, 1993). This contribution is an appraisal of some legal issues in university management concerning the Governing Councils of Federal Universities under their enabling laws with

references to State and Private Universities where applicable. Legal Framework for university management has two major statutes provide the legal framework for university governance in Nigeria as follows: The enabling Law of each university which established it, and the Universities (Miscellaneous Provisions) Act No. 11, 1993 as amended by the Universities (Miscellaneous Provisions)(Amendment) Act No. 55 of 1993; The Universities (Miscellaneous Provisions)(Amendment) Act No. 25 of 1996; The Universities (Miscellaneous Provisions)(Amendment) Act 2003, otherwise called The Universities Autonomy Act No. 1, 2007 and The Universities (Miscellaneous Provisions) (Amendment) Act 2012. It is to be observed that the provisions of The Universities (Miscellaneous Provisions) Act No. 11, 1993 and the amendment No. 55 of 1993 as well as No. 25 of 1996 have been adapted and incorporated into the various enabling laws of the Federal Universities in the Laws of the Federation of Nigeria, 2004. The enabling Law of each University established the Governing Council and vests the power and responsibility of governance on the Council. For example, Section 15 of the Universities (Transitional Provisions) Act established the Council as the governing authority of the University which shall have the custody, control and disposition of all the property and finances of the University, with its functions copiously spelt out under the Section. It provides: (1) “There is hereby established for the University a Council to be known as the Council of the Universities, the constitution and procedure of which shall, subject to the provisions of this Law, be in accordance with such provisions as may be made by statute in that behalf. (2) The Council shall be the governing authority of the University and shall have the custody, control and disposition of all the property and finances of the University and, except as may otherwise be provided in this Law and the Statutes, shall manage and superintend generally the affairs of the University and, in any matter concerning the University not provided for by or under this Law, the Council may act in such manner as appears to it best calculated to promote the interests, objects and purposes of the University.” (Ibijola, 2015). This provision vests the general and ultimate responsibility for all the affairs of the university on the Council subject to the powers of the Senate as the ultimate authority only in academic matters. This includes the custody, control and disposition of the university’s property and finances and also setting the

strategic direction of the university. The Council directs and controls the affairs of the university and is the legal custodian of the estates of the university. Thus, this responsibility for governance vested in the Council is clearly distinguishable from management in the university which involves the day-to-day administration of the University. The various enabling laws vest the latter on the “Management” team of Principal Officers headed by the Vice-Chancellor under the general control and superintendence of the Council. The enabling Laws of the universities often contain elaborate provisions on the functions of the Governing Council which end with an omnibus clause empowering it: to participate in the making, amendment or revocation of statutes pursuant to the provisions of the enabling Law and to govern, manage and regulate the finances, accounts, investments, property, business and all other similar affairs whatsoever of the University, and for that purpose to appoint bankers, solicitors and any other persons or agents as the Council may deem expedient, and to ensure proper books of accounts are to be kept of all sums of money received and expended by the University and of the assets and liabilities of the University in such manner as shall give a true and fair view of the state of the University and explain its transactions from time to time (Oyeneye, 2016). This study seeks to examine the role of legal framework on the management of Federal Universities in North Central States, Nigeria.

The study carefully examined the Universities (Miscellaneous Provisions) Amendment Act, 2012, Universities Autonomy Act, 2007 and the enabling laws of six federal universities selected for this study. These laws were well thought out to reorganize the University system, especially, university autonomy which has been clamoured for by university managers.

Statement of the Problem

The effective implementation of the statutes establishing federal Universities by University managers seem to be only theoretical rather than practical because the application of the statutes to the management of Universities are somehow neglected considering the numerous problems bedeviling University education in the North Central States, Nigeria. Such problems include the erosion of University autonomy and academic freedom. It has been observed over the years that universities are not totally free from the hand of politics outside the

University system. This is largely attributed to the failure of University managers to apply the laws establishing the universities to the management of these Universities. Just, recently, the Federal Government in total disregard for existing statutes attempted to enrol staff members of federal universities into the Integrated Personnel Payroll Information System (IPPIS), resulting to a face off between the Academic Staff Union of Universities (ASUU) and the Federal Government of Nigeria. The legal framework i.e. the laws esblishing these universities were deliberatly established to mitigate the above challenges. Therefore, the problem of the study is whether the existing legal framework has addressed these challenges of federal Universities in North Central States, Nigeria. To what extent does legal framework improve the standard in the management of federal Universities in North Central States, Nigeria?

Purpose of the Study

The purpose of this study was to assess the relationship between legal framework and management of federal universities in North Central States, Nigeria. The specific objectives were to:

1. determine the relationship between the application of enabling laws and appointments and dismissal of academic staff improves the standard of management in federal universities, North Central States, Nigeria.
2. examine the relationship between the application of enabling laws and monitoring and evaluation of federal Universities in North Central States, Nigeria.

Research Questions

The study was guided by the following questions:

1. What is the relationship between the application of enabling laws have and appointments and dismissal of academic staff improves the standard of management in federal universities, North Central States, Nigeria?
2. What is the relationship between enabling laws and monitoring and evaluation of federal Universities in North Central States, Nigeria?

Hypotheses

The following null hypotheses were formulated and tested at 0.05 level of significance:

HO₁. There is no significant relationship between enabling laws, appointment and dismissal of academic staff in the management of federal universities in North Central States, Nigeria.

HO₂. There is no significant relationship relationship between the application of enabling laws and monitoring and evaluation of federal Universities in North Central States, Nigeria.

Research Methodology

The study assessed the relationship between “Legal Framework and the Management of Federal Universities in North Central States, Nigeria. The research design employed in this study was the cross-sectional survey research design. The population of the study consisted of 373. The sample size of the study consisted of 68 respondents and it was selected using the multi-stage and simple random sampling techniques respectively. The researcher developed a questionnaire for data collection from the respondents. The questionnaire was tagged “Questionnaire on legal framework and the management of federal universities in North Central States, Nigeria” (QLFMFUNCSN). The instrument was duly validated and it produced 0.66 as logical validity index. The instrument was pilot tested on 10 HODs and the coefficient of internal consistency of 0.88 was obtained. Descriptive statistics of mean and standard deviation were used to answer all the research questions while **Pearson’s** product moment correlation was used to test all the hypotheses at 0.05 level of significance.

Data Presentation

All the research questions were answered using mean and standard deviation and the results are presented on tables 1 to 3 below:

Research Question 1: What is the relationship between the application of enabling laws have and appointments and dismissal of academic staff improves the standard of management in federal universities, North Central States, Nigeria?

Table 1: Mean and Standard Deviation showing the Application of Enabling Laws on Appointments and Dismissal of Academic Staff

Standard in the Management of Federal Universities in North Central States, Nigeria

S/N	ITEMS	SA	A	D	SD	Mean	Std.	Decision
1.	Appointment and removal of academic staff have followed due process in your university	2	8	28	30	2.10	0.55	Disagreed
2.	The enabling laws on appointments of academic staff into management positions have improved in federal universities	5	3	25	35	1.95	0.60	Disagreed
3.	Members of the governing council are comply with enabling laws in university management	0	4	34	30	2.00	0.57	Disagreed
4.	Vice Chancellors are not removed arbitrarily by the governing council in federal universities	9	5	34	20	2.05	0.68	Disagreed
5.	Are Vice Chancellors appointed devoid of political influence from the visitor to the university	8	1	30	29	2.25	0.45	Disagreed
Cluster mean						2.07	0.57	Disagreed

Scale Mean 2.50

Table 1 showed that item 1 has the mean score of 2.10 and standard deviation of 0.55, item 2 has the mean score of 1.95 and standard deviation of 0.68, item 3 has the mean score of 2.00 and standard deviation of 0.57, item 4 has the mean score of 2.05 and standard deviation of 0.68, item while 5 has the mean score of 2.25 and standard deviation of 0.45. The cluster mean of 2.07 is less than the scale mean of 2.50, this means that the application of enabling laws have low improvement on appointments and dismissal of academic staff in the management of federal Universities, North Central States, Nigeria.

Research Question 2: What is the relationship between enabling laws and monitoring and evaluation of federal Universities in North Central States, Nigeria?

Table 2: Mean and Standard Deviation showing the Application of Enabling Laws on Monitoring and Evaluation of Federal Universities in North Central States, Nigeria

S/N	ITEMS	SA	A	D	SD	Mean	Std.	Decision
6.	Proper and adequate monitoring and evaluation is sanctioned by the enabling laws of federal universities	2	4	22	40	2.28	0.60	Disagreed
7.	Guidelines for monitoring and evaluation as provided in the enabling laws are complied with by managers of federal universities	7	5	26	30	2.05	0.66	Disagreed
8.	Supervision of monitoring and evaluation procedures in federal universities are done in accordance with the enabling laws	1	5	30	32	2.20	0.55	Disagreed
9.	Monitoring and evaluation as provided by the enabling laws are to improve management of federal universities	5	7	35	21	2.15	0.58	Agreed
10.	Monitoring and evaluation findings are reported for implementation as sanctioned by the enabling laws	7	5	32	24	2.30	0.64	Disagreed
Cluster mean						2.19	0.60	Disagreed

Scale Mean 2.50

Table 2 indicated that item 6 has the mean score of 2.28 and standard deviation of 0.60, item 7 has the mean score of 2.05 and standard deviation of 0.66, item 8 has the mean score of 2.20 and standard deviation of 0.55, item 9 has the mean

score of 2.15 and standard deviation of 0.58, while item 10 has the mean score of 2.30 and standard deviation of 0.64. The cluster mean of 2.19 is less than the scale mean of 2.50, this means that the application of enabling laws are not properly applied monitoring and evaluation of federal Universities, North Central States, Nigeria.

Testing of Hypotheses

All the hypotheses were tested using Pearson's product moment correlation at 0.05 level of significance and the results are presented on table 3-4 below:

Hypothesis 1: There is no significant relationship between enabling laws, appointment and dismissal of academic staff in the management of federal universities in North Central States, Nigeria.

Table 3: Correlation Coefficient Analysis Showing the Relationship Between Enabling Laws and Dismissal of Academic Staff in the Management of Federal Universities in North Central States, Nigeria

S/N	Variable	\bar{X}	N	Df	r-cal	r-tab	Level of Sig.	Decision
1.	Enabling Laws	2.48						
2.	Removal of Academic Staff	2.45	68	66	0.501	0.250	0.05	Rejected
3.								

Table 10 reveals the correlation coefficient of significant relationship between enabling laws, appointment and dismissal of academic staff in the management of federal universities in North Central States, Nigeria. The analysis of hypothesis two shows that the r-calculated value is 0.501 while the r-table value is 0.250 at significant level of 0.05 and 66 as degree of freedom. Since the calculated value of 0.501 is above the table value of 0.250, the hypothesis was rejected which means that there is a significant relationship between enabling laws, appointment and dismissal of academic staff in the management of federal universities in North Central States, Nigeria.

Hypothesis 2: There is no significant relationship relationship between the application of enabling laws and monitoring and evaluation of federal Universities in North Central States, Nigeria.

Table 4: Correlation Coefficient Analysis Showing the Relationship between Enabling Laws and Monitoring and Evaluation of Federal Universities in North Central States, Nigeria

S/N	Variable	\bar{X}	N	Df	r-cal	r-tab	Level of Sig.	Decision
1.	Enabling Laws	2.30						
2.	Monitoring and Evaluation	2.42	68	66	0.320	0.250	0.05	Rejected
3.								

Table 11 shows the correlation coefficient of significant relationship between enabling laws and monitoring and evaluation of federal universities in North Central States, Nigeria. The analysis of hypothesis three shows that the r-calculated value is 0.320 while the r-table value is 0.250 at significant level of 0.05 and 66 as degree of freedom. Since the calculated value of 0.320 is above the table value of 0.250, the hypothesis was rejected which means that there is a significant relationship between enabling laws and monitoring and evaluation of federal universities in North Central States, Nigeria.

Summary of the Major Findings

The following were the summary of the major findings based on the hypotheses:

1. The findings of hypothesis one (Table 3) showed that there is a significant relationship between enabling laws, appointment and dismissal of academic staff in the management of federal universities in North Central States, Nigeria.
2. The findings of hypothesis two (Table 4) revealed that there is a significant relationship between enabling laws and monitoring and evaluation of federal universities in North Central States, Nigeria.

Discussion of findings

Findings from hypothesis two indicated that there is a significant relationship between enabling laws, appointment and dismissal of academic staff in the management of federal universities in North Central States, Nigeria. The findings of the study is contrary to the findings of Ambrose (2018) which revealed there is a significant relationship between governing council laws and the appointment of vice chancellors, responsibilities of senate, staff personnel

administration, students 'personnel administration, staff union activities and financial management of public universities in South-South, Nigeria. Section 10 of each the Laws establishing federal universities empower them to make statutes and this power is given to the Council in collaboration with the Senate to make Statutes to regulate a variety of issues concerning the University (including admission of students, their discipline and welfare, staff appointments and conditions of service, constitutions, functions and procedure of the authorities and constituent bodies of the university, etc.) and to amend or revoke them where necessary.

The findings from hypothesis three revealed there is a significant relationship between enabling laws and monitoring and evaluation of federal universities in North Central States, Nigeria. The findings aligned with the findings of Ibijola (2015) who posited that there is a significant relationship between NUC performance of its regulatory roles and the quality of Nigerian university education in terms of monitoring and evaluation. The vision of NUC is to be a dynamic regulatory agency acting as a catalyst for positive change and innovation for the delivery of quality university education in Nigeria through effective monitoring, evaluation and assessment. It has the mission of ensuring the orderly development of a well-coordinated and productive university system that will guarantee quality and relevant education for national development and global competitiveness. It has the following specific goals: attainment of stable and crisis-free university system; to work with Nigerian universities to achieve full accreditation status for at least 80% of the academic programmes; to initiate and promote proficiency in the use of ICT for service delivery within the commission and the Nigerian universities system; upgrading and maintenance of physical facilities in the Nigerian university system for delivery of quality university education; to match university graduate output with national manpower needs; to foster partnership between the Nigerian university system and the private sector. The Nigeria Universities Commission (NUC) under the coordination of the Executive Secretary of the Commission has the enabling power to co-opt professionals into the education sector to assist the commission in monitoring and evaluating quality assurance issues in universities. As agencies like National Agency for Food and Drug Administration and Control (NAFDAC) monitors the manufacturing of food and drug related products so is National Universities Commission to Universities in the areas of quality assurance. Quality assurance in the university system entails the ability of the institutions to meet the expectations of the users of manpower in relation to the quality of skills acquired by their outputs.

Conclusion

Based on the findings, the following conclusions were drawn:

The study concluded that the enabling laws have low influence on the appointment and dismissal of academic staff in the management of federal universities in North Central States, Nigeria.

The study also concluded that the monitoring and evaluation activities of federal universities in North Central States, Nigeria are not properly done using the enabling laws.

Recommendations

The following recommendations were made based on the findings of this study:

1. Every university has enabling laws that guide the appointment and dismissal of academic staff in the management of federal universities, the study recommended that the National University Commission should sanctioned any university that fail deploy such existing laws when appointing and removing academic staff to enhance fairness and equity in handling of staff issues.
2. The provision of the NUC regarding the enabling laws should be the only tool for monitoring and evaluation of federal universities in North Central States, Nigeria as such approach would guarantee quality assurance and accountability in the University system.

REFERENCES

- Federal Republic of Nigeria (2004). *National Policy on Education*. Lagos: NERDC Press.
- Ibijola, E.Y (2015). Regulatory Roles of the national universities commission (NUC) and the quality of Nigerian University Education. *International Journal of Education and Practice*, 3(2), 104-114ISSN(e): 2310-3868ISSN(p): 2311-6897
- Ibukun, W. O. (2017). *Educational management: theory and practice*. Ado-Ekiti: Green Line Publishers.
- Mgbekem, S.J.A. (2014). *Management of University Education*. Calabar: University of Calabar press.
- Oshio, P.E (2016) Legal Issues in University Governance in Nigeria. Retrieved from www.nigerianlawguru.com on the August, 19th 2021.
- Oyeneye, O. Y. (2016). "Current issues in the administration of university education in Nigeria". *Lecture delivered at the 15th convocation ceremony of University of Ado-Ekiti, Ado-Ekiti, Nigeria, on March 29.*