

CHALLENGES OF ACADEMIC FREEDOM IN NIGERIAN HIGHER INSTITUTIONS

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Abstract

This paper takes a look at the extent to which Nigerian higher institutions has enjoyed academic freedom. It is observed that higher institutions in Nigeria are expected to enjoy the traditional areas of freedom in the area of admission of students; appointment of staff; teaching, research and determination of content of courses. The paper however observes that in spite of this commitment, higher institutions in Nigeria have been facing many challenges, which make the achievement of academic freedom very difficult. It notes that higher institutions have been hampered by the activities of some agencies, such as the National Universities Commission (NUC) and the National Commission for Colleges of Education (NCCE). The paper therefore concludes and recommended that for higher institutions to meet the needs of the world around its research and teaching must be morally and intellectually independent of all political authority and economic power; and Senates of universities and academic board of high institutions should set their procedures for selecting their student among others.

Keywords: Academic Freedom, Educational Freedom, Higher Institutions.

Introduction

The Nigerian higher institutions exists to carry out the basic functions of teaching, research and services to the community. This is an indication of the fact that higher institutions consist of people, who not only search for knowledge, but also disseminate the findings of inquiry to the larger society in order to improve the well-being of mankind. Similarly, the primary and traditional role of higher institutions, according to Goma, Ajayi and Jonson (2013) is the transmission of knowledge and training of human minds, as well as engaging in research activities which could lead to the advancement of knowledge. In the view of Okoro-Orubite, Paulley and Abraham (2022), the higher institution is a community of scholars, which believes in the superiority of the mind over matter and insists that everything should be subordinated to the intellect. The higher institution is therefore a place where concepts hallowed by age and tradition are subjected to severe scrutiny and knowledge grows through dissent, and not through compromise.

Adzongo (2022) opined that higher institutions play a crucial role in generating new ideas, and in accumulating and transmitting knowledge, yet they have remained peripheral to development concerns. Although no longer the sole generators of knowledge needed for development, through their research and teaching, they help to produce expertise, manage development, engineer and preserve social values and cultural ethics..

Academic freedom refers to the right of educators and researchers to exercise autonomy transformation and independence in their work, free from external pressures or restrictions that could compromise the quality or integrity of their research, teaching, and publication. This includes the ability to: Choose topics for research and publication, Design and implement research methods, Analyze and interpret data, Publish research results, Teach course material, Participate in professional activities, Collaborate with colleagues, (Akinyemi, 2018). Ultimately, preserving academic freedom requires commitment from institutions, policymakers, and individual scholars themselves by safeguarding this fundamental principle, will guarantee continued progress in various domains of inquiry, keep learners excited about exploring new ideas and possibilities available to them through education.

There has been a global emphasis on human right which led to the passing of the Universal Declaration of Human rights, social and cultural rights since the Second World War. These have been reflected in regional human rights treaties and human rights treaties and human right guarantees contained in national institutions. The Universal Declaration of Human Rights (UDHR) 1948, the International Covenant on Civil and Political Rights (CCPR) 1966 and the International and the International Covenant on Economics, Social and Economic, Social and Cultural Rights (ICESCR) 1966, constitute the International Bill of Rights, and collectively they provide for the rights to education at global level. The right to education is given wide recognition in a number of important international and regional human rights instruments. The UDHR, for instance, states that the right to education is for all people and states further that elementary education shall be free and compulsory while higher education shall be accessible to all on the basis of merit. In the same vein, in its articles 1 and 14, the ICESCR also guarantees the right of every one to education. Although the issue of academic freedom is not explicitly mentioned in article 13 the ICESCR, the committee on economic, Social and Cultural Right (CESCR) deems it appropriate and necessary to make some observations about the issue because in its experience, staff and students in higher institutions are especially vulnerable to political and other pressures which undermine academic freedom. Further, the right to education can only be enjoyed if accompanied by the academic freedom of staff and students.

Akinyemi& Adebayo (2018) attest that, the twin concepts of academic freedom and 'institutional autonomy' are among the most important issues concerning the existence, mission and role of the higher institutions throughout the world. Ajayi, Goma and Johnson (2013) posit that the two concepts relate to the protection of the higher institutions from day to day direction by government officials, specifically on the selection of students; the appointment and removal of academic staff; the determination of the content of higher education and control of degree standards; the determination of size and rate of the growth; the establishment of the balance between teaching, research and advanced study, the selection of research project and freedom of publication and the allocation of recurrent income among the various categories of expenditure. However, to make academic freedom meaningful and relevant, universities and other educational institutions should on their own initiative change in periodic evaluation of their programs, performance of their institutions and of their teachers and research staff. In tone with the principles of accountability, there should also be a periodic evaluation and appraisal of educational institution programs so as to ensure their relevance and responsiveness to development.

Clarification of Concept

Academic Freedom

Academic Freedom generally, means freedom of teacher or student to hold and express views without fear of arbitrary interference officials. In Oxford Advanced Learner's Dictionary of current English Academic, freedom is defined as liberty, to teach and to discuss problems without outside agents e.g. government interference. However, the concept of academic freedom has generated a lot of discussion across the world. This is as a result of the fact that due to recent global changes as well as their regional and national socio-economic and political impact, the issue of academic freedom has gained new dimensions, possibilities and constraints. To that extent, the concept has been defined by many scholars and bodies. Eze, Ogbonna&Akpan (2020) perceived academic freedom as the freedom to conduct research, teach, speak, and publish, subject to the norms and standards of scholarly inquiry without interference or penalty, whatever the search for truth and understanding may lead.

Eze, Ogbonna & Akpan (2020) defined academic freedom as the freedom of members of the academic community, individually and collectively, in the pursuit development and transmission of knowledge, through research, study discussion, production, creation, teaching, learning and writing. Ogungbe (2021) described academic freedom as fourfold right of a university: “to determine for itself on academic grounds who may teach, what may be taught, how it shall be taught and who may be admitted in study. It also entails the freedom of a university to select its own staff and determine its own standards, and the freedom of both staff and students to free expression in their teaching, studying, publishing and research. Academic freedom requires institutional autonomy of higher institutions, which enables them to preserve the human record of knowledge and ideas, to advance the discovery and interpretation of new knowledge. This autonomy also includes the right of the university to determine for itself, on academic grounds, who may teach, what to teach, how to teach and who may be admitted to study. Similarly, this institutional autonomy should determine the framework for statutory provisions that govern or impact universities.

Educational Freedom

Educational freedom is the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions which includes the liberty to choose for their children's schools other than public school. All parents would be able to choose from a diversity of high-quality option regardless of their means. Parents and educators would harmoniously spend dearly and energy on providing the best possible education. Educators would be innovative and would expand the diversity and improve the quality of the educational options available. Our education system would produce literate and informed citizens, well prepared for adult life which would expand the diversity and improve the quality of the educational options available.

Nigerian educational system would produce literate and informed citizens, well prepared for adult life. The school also has the obligation to respect this liberty within public education. Its also includes the liberty of everyone to establish and direct educational institution which conform to minimum educational strategies established by the state. As interpreted by the committee on economic, social and cultural rights in its General Comment. The state has an obligation to ensure that this liberty does not lead to extreme disparities of educational opportunity for some groups in society, (Oyebamiji 2018).

Higher Institutions

Higher institutions refer to educational institutions that provide advanced levels of education beyond the traditional high school diploma. These institutions include colleges, polytechnics, universities, and other types of academic organizations that offer programs leading to associate's,

bachelor's, master's, or doctoral degrees. The importance of university education is underscored by all governments of the world. Here in Nigeria, the Federal Republic of Nigeria (2004) outlines that the goals of higher education, which includes university education, should be to:

- i. contribute to national development through high level relevant manpower training;
- ii. develop and inculcate proper values for the survival of the individual and society;
- iii. develop the intellectual capability of individuals to understand and appreciate their local and external environments;
- iv. acquire both physical and intellectual skills which will enable individuals to be self reliant and useful members of the society;
- v. promote and encourage scholarship and community service;
- vi. forge and cement national unity; and
- vii. promote national and international understanding and interaction.

However, for higher institutions to perform its functions properly, an element of freedom and independence is required. This is particularly because academics certainly need to be free from any form of interference from both internal and external forces in order to carry out its functions.

Freedom of Teachers in the Nigerian Higher Institutions

Academic freedom of teachers means the freedom of higher institutions to select its teachers and students, to set the contents and standards of its curriculum and research and to provide a favorable atmosphere where professors and students are freed to be involved in creative processes leading to discovery of new truths and the conformation of old ones. In the same vein, that academic freedom refers to the freedom of individual academics to study, teach, research and publish without being subject to or causing undue interference, (Oyebamiji, 2018).

Ajayi (2015) also defined academic freedom of teachers as 'the freedom of members of the academic community, individually and/or collectively, in the pursuit development and transmission of knowledge. It is opined that in the pursuit of knowledge, academics may not be hindered from following the approach which they think most fruitful with regard to scientific or scholarly discovery. It guarantees the right of academic to freely teach according to their coinsurance and convictions. In this regard, Oyebamiji (2018) states that academic freedom is 'the freedom for academic within the law. Academic have to teach and to research, in the course of this, they have to express certain views which may not be popular but which may nevertheless be valid, this freedom requires that they should pursue the truth without any fear of reprisals. It is a freedom to follow a line of research where it leads, regardless of the consequences. On this point, Oyebamiji, (2018) further submits that 'academic freedom amounts to no more than a right supposedly given to academic to say and teach what they believe to be true.

Similarly, students have to learn and in the process they ask questions or express certain views. Academic freedom, therefore, entails that they should not be punished for asking those questions or expressing those views. The purpose of academic freedom is to enable both academics and students to do their job effectively. Russell in Adzongo (2022) postulates four aspects of academic freedom namely:

- i. the freedom of students to study: an issue concerning access to education.
- ii. the freedom of students in what they learn and how they learn it is an issue concerning the curriculum and pedagogy.
- iii. the freedom of faculty (members of the lecture ring staff) to decide what to teach and how issues concerning course approval, validation and accreditation and,
- iv. the freedom of faculty to carry out research; an issue concerning choices to be made both by faculty themselves and by those who fund the claims of different programs and projects for time and attention. Teachers are entitling to full freedom of research and publication of the results research findings. Eze et al (2020) reminded teachers that they should remember that the public may judge their profession and their institution by their

appearance hence, they should make every effort to indicate that they are not speaking for the institution. It is a truism that if the teacher should teach and carryout research effectively, academic freedom is necessary. Academic freedom is the freedom of the faculty to teach and speak out as the fruits of their research.

Akinyemi et al (2018) attest that, the classroom teacher occupied an important position in our educational system which entitled him to various forms of freedom based on his profession. The freedoms are;

- i. ***Freedom to prepare syllabus and scheme of work:*** The preparation of syllabuses and scheme of work is supposed to be full responsibility of the teacher. Unfortunately, the education policy makers and planners designed the syllabuses and the scheme of work and hand them over to the classroom teachers for implementation. These syllabus and scheme of work could be haphazardly prepared because of the non-involvement of educational administrator. Indeed, teachers are only allowed to prepare their lecture note or lesson notes paying attention to the provisions of the general syllabus and scheme to work.
 - ii. ***Freedom to teach:*** Freedom to teach by the teacher is an important component of the educational process. Teachers' freedom to teach involves the right and responsibility to use the highest intellectual standards in studying, investigating, presenting interpreting and discussing ideas and facts relevant to his or her field or expertise. As professionals, teachers must be free to examine controversial issues openly in the classroom for free examination of ideas.
 - iii. ***Freedom to participate in Preparing Educational Policy:*** According to Oyegbamiji (2018), teachers should have an important role in determining educational policy. If freedom to teach is to be meaningful, teachers must participate in decisions regarding the organization, presentation, evaluation of instruction and in determining the competency of other teachers and administrators. According to Harvey (2013), academic freedom does not exist where there is an imposition of any type of barriers, or disadvantages. Teachers are free to present instructional materials which are pertinent to the subject.
4. ***Freedom of Discussion in the Classroom :*** Teachers are also entitled to freedom of discussion within the classroom on all matters which are relevant to the subject matter under study. No matter how much we attempt to justify academic freedom as its affect a teacher and his student, it should be noted that academic freedom carries with it duties correlative with rights. It is on this note that Harvey (2013) states that Teachers as members of a learned profession and officers of an educational institution, when they speak or write as citizens, they should be free from institutional discipline. But as scholars and educational officers, they should remember that the public might judge their profession and their institution by their utterances. Hence, they should at times be accurate, should exercise appropriate restraint, should show respect for the opinion of others. In the Nigerian context teachers are not allowed to discuss politics in the classroom settings. On the issue of discipline, the classroom teacher has no right to discipline any student by way of corporal punishment without getting approval from the school administrator. Teachers are not allowed to exploit their pupil/students by forcing the students to buy textbooks. (Anayanwu, 2019)

Government views of Academic Freedom in Nigeria

The Federal Republic of Nigeria (2004) state inter-alia in the national policy on education, the traditional areas of academic freedom for higher institution are to:

- i. Select their students where the law prescribes otherwise,
- ii. Appoint their staff,

- iii. Teach, select areas of research, and
- iv. Determine the content of courses

Government shall continue to respect this freedom as long as these areas are inconsonance with national goals. The above statement is an indication of the fact that the Nigeria government perceives freedom as a process in which universalities and other tertiary institutions are totally free to select their students, appoint staff; determine and teach the curriculum of their courses as well as carrying out research activities without any form of interference from the government, (Adzongo 2022).

Benefits of Academic Freedom

The Federal Republic of Nigeria (2004) encapsulates the essentials of academic freedom to include the internal organization and administration of higher institutions freedom to give:

- i. students admission,
- ii. to appoint staff,
- iii. to teach, select areas of research and disseminate the result of such research
- iv. to determine the content of courses.

Higher institutions for academic freedom Centre's on its benefits to humanity in the form of growth of knowledge and its dissemination. In an ideal world, every child would have access to education, which is right for him or her. According to Akinyemi (2018), academic freedoms benefit the society directly and usually through the impacts and benefit of acquired knowledge to the training of skills professionals and the education of future learning and professionals and citizens. It benefits the society indirectly through the creation, preservation and transmission of knowledge and understanding for its own sake, irrespective of immediate applications.

He further said that by facilitating critical thinking and open discourse, academic freedom provides the foundation for the continued intellectual and social value of the school as a place of unfettered debate and the free exchange of ideas. It thereby enables higher institutions to produce citizens equipped to thrive in and situation free and open societies. Academic freedom allows the students to study, speak, read research and published without fear or intimidation of reprisal, free from political interference in an environment of tolerance for and engagement with divergence opinions.

Challenges of Academic Freedom in the Nigerian Educational System

The government of Nigeria allows academic freedom in the higher institutions, but placed some restrictions which cause some challenges.

1. In the area of the admission of students, even though the higher institutions are allowed to admit their own students, the government has given some guidelines which must be strictly followed by the institutions. This is where the issue of quota system of admission comes in. Admission into Nigerian higher institution is under the auspices of the Joint Admission and Matriculation Board (JAMB). In other words, even though the universities do the selection of candidates, the entrance examination is centrally done by JAMB. Okojie in Ogungbe & Adeboyejo (2021) observed that because there is no absolute freedom, higher institutions are subjected to the scrutiny of peers through instrumentality of the accreditation exercise.
2. **Government interference:** The government has been known to intervene in higher institutions affairs and sponsor research that is deemed sensitive or controversial. This can limit the ability of academics to conduct research freely without fear of reprisals.
3. **Political and ethnic influences:** Politicians and political party interests have sometimes tried to influence curriculum content or appointments at higher institutions, which

undermines academic independence. Similarly, ethnic groups may try to impose their own perspectives on academic matters, creating divisions within institutions.

3. **Lack of funding:** Many Nigerian higher institutions are faced with financial constraints, including insufficient budget allocation from the federal government, lack of private sponsorship, and poorly maintained infrastructure. These limitations can hinder academic freedom by reducing the availability of resources for research, travel, and professional development.
4. **Limited autonomy:** Although Nigerian law recognizes the autonomy of universities, this does not always translate into practice. Universities still depend heavily on centralized decision-making structures, leading to conflicts with administrators over issues such as curriculum design or appointment decisions. Autonomous institutions enjoy greater flexibility in pursuing their missions unencumbered by unnecessary oversight mechanisms (Nwana et al., 2016).
5. **Corruption:** Mismanagement of funds, nepotism, favoritism, embezzlement, etc., all pose significant threats against scholars' freedom, compromising their capacity to study topics they believe matter most without worrying about potentially losing support due to these factors could make life difficult even among tenured professors let alone contending with this issue while working towards earning your PhDs!
6. **Indigenization of policies:** Some countries place high value on indigenizing education systems—i.e., incorporating local languages alongside dominant ones - but doing so effectively might lead to limits placed upon non-indigenous viewpoints if strict controls aren't implemented carefully during implementation processes (Dgravity& P Fabricio, 2019)

Conclusion

The arrangement as obtainable now is Nigeria violates the four essential features of academic freedom namely, the right of the university to determine for itself on academic grounds who may teach, what may be taught, how it shall be taught, and who may be admitted to study. This calls for a redress. Although, academic freedom is not a right without limitations, to make educational institution functional, there should be a limited control of higher institutions by government agencies. To make academic freedom meaningful and relevant, universities and other educational institutions should, on their own initiative change in periodic evaluation of their programs, performance of their institutions and of their teaching and research staff. In tune with the principle of accountability, there should also be a periodic evaluation and appraisal of educational institutions programs so as to ensure their relevance and responsiveness to development. Periodic evaluation will save educational institutions from decadence and make them more relevant to the society in this age of globalization.

Recommendations

1. The Academic Board of Colleges of Education, Polytechnic and Universities senate should be allowed to design their own curricular that are beneficial to the Nigerian educational system.
2. Senates of universities and academic board of high institutions should set their procedures for selecting their student.
3. Government council of tertiary institutions should select and appoint their teaching staff and administrators.
4. Teachers should allow preparing syllabus and scheme of work.
5. Government should consult tertiary institutions when taking decision affecting them.

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