

# THE MANAGEMENT OF UNIVERSITY EDUCATION IN NIGERIA IN THE CONTEXT OF THE 1999 CONSTITUTION

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## **ABSTRACT**

This paper examine Nigerian's 1999 Constitution provisions in relation to the management of University education and its implication for the country's educational Management, the 1999 Constitution vis-à-vis education. The constitution roles of the three tiers of government in education and the implications of the 1999 Constitution are examined. Finally the paper offers recommendations for the improvement of Nigerian university education.

**Key Word:** *Nigerian Constitution, Educational Management, University Education, Democratic Society, Development*

## **INTRODUCTION**

Nigeria has adopted over the past three decades egalitarian education as a vehicle per excellence for effecting rapid social development. This is not surprising because education has proven to be the greatest investment of economic, social, political and cultural development (Akangbou, 1987). Consequently, both the Nigerian Constitution (1999) and Federal Republic of Nigeria (1998 Rev.) clearly state the Nation's educational objective as a free democratic society; a just and egalitarian society; a united strong and self-reliant nation; a great and dynamic economy and a land of bright and full opportunities for all (NPE 1998, section, 1(1)).

In most societies, certain rules, norms and regulations are established to regulate the behavior of all and sundry. These norms and rules are documented to form the mosaic of good behavior – constitution. Thus, a constitution is simply the body of rules in accordance with which the power of government are distributed and exercised. It lays

down the political institutions that will be allowed to exist, the functions of those different institution and the distribution of powers among them.

The form of constitution depends on the nature of the country being governed, its history, geographical position, social structure, economic development, religious beliefs and racial composition (1999 Draft Constitution).

### **Theoretical Framework of 1999 Constitution**

Historically, the first sets of legal provisions for education in Nigeria were in the form of education ordinances made by the colonial administration in the following order – 1882, 1887, 1808, 1916 Phelps Stokes Report of 1921, 1922, 1925, Colonial Office Memorandum on Education and 1926 Educational Ordinances (Taiwo 1982).

The significant of all the ordinances was that of 1926, which established rules and regulations in the following educational system expansion and control mechanism of the education system registration of teachers, establishment of new schools, functions of the board of education, appointment of supervisors and formulation of a new Grants in Aid system (Fafunwa).

The ordinance of 1926 was quickly followed by the ordinances of 1928, 1929, 1931 and 1933. These ordinances merely reviewed the 1926 ordinance and made clarifications and additional statements on the previous enactments.

It is significant to note that the laws regulating education in the colonial periods were legislative and administrative enactments and not separate constitutional laws. With the development of political structures in Nigeria, the political institutions created by the different constitution assured responsibility for educational laws in their respective areas of jurisdiction. Thus, the 1947 constitution decentralized educational administration by classifying education as a regional service.

It was on the basis of the enabling environment provided by this constitution that the education ordinance 1948 was enacted. This was the first of its type to be applicable throughout Nigeria (Olagboye, 1998).

The Macpherson Constitution of 1951 strengthened regional autonomy and made education a regional matter. This development subsequently gave rise to the establishment of a Ministry of Education in each of the three regions (North, West and East) under a minister. The Minister had responsibility for formulating policies on education in his region (Ajayi 1997).

Further developments in the political sphere led to the introduction of Littleton constitution in 1954. This 1954 constitution transformed Nigeria into a federation of three regions with a centre in Lagos and the introduction of three legislative lists- Executive, Residual and Concurrent. In this arrangement, higher education was on the Concurrent list.

These developments and innovations in education as a result of successive constitutional provisions continued until the country took on the status of a sovereign and independent nation in 1960 with the introduction of a new constitution – the Independence Constitution. In the 1960 constitution, education was both in the exclusive and concurrent lists. In the light of this, the Federal Government had powers to legislate on the higher institution. The regional legislature promulgated laws in establishing their own universities. The Northern Legislature passed Ahmadu Bello University Law 1962, the Eastern Regional Government passed the University of Nigeria, Nsukka Law 1962 and the Western Region passed the University of Ife Law in 1962 (Olagoye & Fadipe 1998). The 1963 Republican Constitution preserved higher education as both on items in the Exclusive Legislature (List item 17) and Concurrent (List item 10). These laws enabled both the Federal and Regional Governments to set up other higher institutions such as Colleges Technology, Polytechnics and Colleges of Education.

The 1979 constitution provided for educational objectives an innovation in the constitution. It is a re-instatement of the fact that the Federal Government recognizes the need to make education a state policy. There was an innovation in the educational sector under the 1989 constitution. Under this constitution both the Federal and State Government had powers to legislate on education.

### **1999 Constitution and Education**

General Abubakar through Decree No. 24 of 1999 promulgated the 1999 constitution of the Federal Republic of Nigeria. The constitution is the highest, legal framework of reference for the machinery of a nation.

Chapter IV (33-44) of the 1999 Constitution guarantees fundamental right of the citizens as right to life dignity of human person, personal liberty, fair hearing, private and family life, freedom of thought, conscience and religion, freedom of expression and the press, peaceful assembly and association, freedom of movement and freedom from discrimination.

Chapter Two of the 1999 Constitution is devoted to fundamental objective and directive principles of state policy. On the Social Objectives, section 17(2) states that:

- a) Every citizen has equality of rights, obligations and opportunities before the law.

- b) The sanctity of the human person shall be recognized and human dignity shall be maintained and enhanced.
- c) Government actions shall be humane.
- d) Exploitation of human or natural resources in any form whatsoever for reasons other than the good of the community shall be prevented and
- e) The independence impartiality and integrity of courts of law and easy accessibility there to shall be secured and maintained.

On the Educational objectives section 18(1-3 of the 1999 Constitution states ;

- 1) Government shall direct its policy towards ensuring that there are equal and adequate educational opportunities at all levels.
- 2) Government shall promote science and technology.
- 3) Government shall strive to eradicate illiteracy and to this end, government shall as and when practicable promote:
  - a) Free compulsory and universal education
  - b) Free secondary education
  - c) Free university education and
  - d) Free adult literacy programme

### **University Management**

In Nigeria, Universities are created by Acts or Decrees or Laws or Edicts depending on whether they are Federal or State University. Usually, each university is empowered by its enabling law to make statute or regulations to guide the day th day conduct of its affairs. Universities are established for the achievement of the following objectives:

- a) To advance knowledge, wisdom and understanding by teaching and research with the ultimate purpose of service to community.
- b) To encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction the opportunity of acquiring a higher education.
- c) To provide courses of instruction and other facilities for the pursuit of learning in all its branches and to make those facilities available on paper term to such persons as are equipped to benefit from them.
- d) To encourage, promote and conduct research in all fields of learning and human endeavours and
- e) To undertake any other activities appropriate for a university of the highest standards. These objectives are to be pursued through teaching, research, the dissemination of existing and new information, the pursuit of service to the community and being a store house of knowledge (FGN 1998). From the provisions of the various university laws, provisions were made for University governance, management and discipline.

Section 3(1) of the University of Ilorin Act 1979 prescribed the power of the University and how they are to be exercised in the area of governance, management and discipline, the Council, its composition, function, the Finance and General Purpose Committee, the Senate, Congregation, Convocation, Organization of Academic work of the University Academic Boards, Boards of Studies, Deans of teaching Units, the Board of Governors of the Colleges of Medicine and Education, Selection of certain Principal Officers of the University, Creation of academic posts, appointment of academic staff and appointment of administrative and technical staff.

Furthermore, by virtue of Section 5(1) of the University of Ilorin Act 1979, the Council is the governing body of the University charged with the general control and superintendence of the policy forms and property of the University, including its public relations. It also made provisions for the Finance and General Purpose Committee which shall exercise control over property and expenditure of the University.

The senate is the highest decision-making body for academic matters in a university. It performs the function of organizing and controlling teaching and research including content of programmes, admission, examination and discipline of students at the university. The Vice-Chancellor is the chairman of Senate and also serves as a link between the senate and the council on matters related to its functions of teaching and research.

The congregation is one of the constituent bodies of the university that provides a platform for university management to interact withal graduate staff of the university. Chaired by the Vice-chancellor, it occasionally meets to discuss welfare matters. Through congregation, representatives are elected to the senate and council, congregation may also advise the vice chancellor on staff welfare matters.

Congregation is a body made up of the academic staff of the university and all registered graduates of the university. The main function of congregation is the conferment of academic awards to accredited recipients. The body usually chaired by the Chancellor also provides a forum for interaction between the university and its alumni. It sometimes serves as a forum for revenue generation for the development of the university.

### **Law and Statues**

The survival of a university as a democratic community is indeed governed by its laws and statutes. The structure of a university as an organization is laid down in the laws establishing it. The provisions of the policies and procedures embedded in their statutes are designed to enable effective governance of the university. The laws and statutes together establish the framework within which each university is administered albeit with a great sense of dynamism in response to changing circumstances.

By nature university management is established and maintained through orderly succession of leadership at various levels of the organization. The process through which the achievement of academic goals are ensured for continuous development, maintenance of proper academic and professional development are carried out through a committee system.

According to the Federal Government Manual on University Management (NUC 1997) the university statutes provide that three authorities and offices namely the council, senate and the vice-chancellor manage the system at the top and that some other organs and offices within the institution manage it at other levels, except the visitor and the chancellor.

### **Management Structure**

The management structure of the university system as shown in the organogram (Fig 1) is hierarchical and is discussed below.:

The visitor symbolizes the proprietor of the university in the case of the Federal university; the visitor is the President of the Federal Republic of Nigeria while the Governor is the visitor for State universities. The function of the visitor is to appoint the vice chancellor on the recommendation of the Governing Council and to inquire into activities of the university, correct irregularities and adjudicate in any disputes that might arise from the provisions and implementation of the university law and statutes.

The vice chancellor is the head and other such assemblies of the university for the conferment of degree, diplomas certificates and other academic awards if the university. The pro-chancellor is the chairman of the university governing council and is expected to be a knowledgeable person with proven integrity status and experience which he is willing to invest in the responsibilities of guiding the institution towards its continued development.

According to the Association of Commonwealth Universities to which Nigeria subscribes, the Vice-Chancellor is the executive head of the university (NUC,1997). His responsibility lies in ensuring peace and good order within the community and promoting good governance for meaningful development of the university.

The Vice-Chancellor occupies an important position in the management of the university. As the chief executive has serves as link and facilitator between the council, the university senate and the community. He prepares and presents to the Council information of current plans for the university's development decisions by committees on matters related to discipline and renders account of his stewardship annually to the visitor through Council and the National University Commission (in

the case of Federal university) during the University System Annual Review meetings. However, in the fulfillment of these obligations, he is assisted by such academic and administrative units as the Registry, Bursary, Works Department and other support structures.

The senate functions to organize and control teaching, admission and discipline of students as well as promotion of research and community service. In carrying out these functions, the senate has the mandate for approving courses for teaching provided that such courses are found to be desirable and compatible with goals of the university. The body also reviews and approves the curricula of the academic programmes of the university.

In relation to the research functions of the university, the senate stimulates university teachers by ensuring the provision of necessary library resources, equipment, technical support and manpower resources that aid in carrying our research that is vital to national development. Above all, the senate maintains the quality of academic programmes offered in the departments through effective monitoring of their academic activities.

The senate apart from relating closely with Provosts, Deans, Directors, heads of academic departments and the Librarian in the day-to-day conduct of the academic programmes of the university, also work through its communities to ensure that the university's academic policies are religiously implemented.

The senate also directs research policy for the university not only toward creation of new knowledge but also for problem-solving innovations that seek to improve the lives of society in general and its host community in particular.

### **Constitutional Roles of Tiers of Government in Education**

The 1999 constitution spells out in the Exclusive and Concurrent Legislative Lists the extent of the legislative powers which the Federal and State Government have over education and other state matters. Thus, item 1 (21 & 22) Part II of the Second Schedule of the 1999 Constitution deals with Scientific and Technological Research as :

The National Assembly may make laws to regulate or coordinate scientific and technological research throughout the Federation (Para 21).

Nothing here shall preclude a House of Assembly from establishing or making provisions for an institution or other arrangement for the purpose of scientific and technological research (Para 22). Furthermore, item L (27-30) Part II of the Second Schedule of the 1999 constitution state that:

The National Assembly shall have power to make laws for the Federation or any part thereof with respect to University education, technological education or such professional education as may from time to time be designated by the National Assembly (Para 27).

Nothing in this paragraph of this shall be construed so as to limit the power of a House of Assembly to make laws for the state with respect to technical, vocational, post primary, primary or other forms of education, including the establishment of institution for the pursuit of such education (Para 30).

The forth schedule of the 1999 Constitution on the functions of a local Government Council, Sub-section 2(a) states that the functions of a Local Government Council shall include participation of such council in the Government of a state with respect to the provision and maintenance of primary, adult and vocational education.

**SUMMARY OF 1999 CONSTITUTIONAL ROLES OF 3-TIERS OF GOVERNMENT IN RELATION TO EDUCATION**

Government	Responsibility	Item on Legislature
Federal	a) Pensions, gratuity and other benefits payable out of the consolidated Revenue fund  b) Prescription of the minimum standards of education at all levels	Second Schedule Part 1 Item 44 of the Executive Legislative list 1999 Constitution.  Second schedule part 1 item 60 (e) of Exclusive legislative List
Federal	a) Scientific & Technological Research  b) Statistics  c) University, Technological and Post Primary Education or Professional Education	Second Schedule Part II Item I (21&22) Concurrent Legislative List  Second Schedule , part II Item I (23&24) concurrent Legislative List. Second Schedule Part II Item L (27-30)  Concurrent Legislative List

State/Local	Provision and maintenance of primary, adult and vocational education	Forth schedule Item 2 and second schedule Part II Item L (30) of the concurrent Legislative list.
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Source: 1999 Constitution of the Federal Republic of Nigeria

### **IMPLICATIONS OF 1999 CONSTITUTION**

The 1999 constitution did not guarantee free education at all levels of the educational system. It merely states that free education is an objective to be sought after and implemented as and when practicable (section 17 (2)) in pursuance of the goal of democracy and social justice. What the constitution imposes on all tier of government is the duty and obligation to strive hard towards the provision of equal and adequate educational opportunities at all levels for all citizens.

Nigeria operates a Federal system of Government in which the central government and state government share legislative powers. However, whenever a law made by a state government conflicts with that made by the federal government on the same subject matter, that of latter prevails and renders that of the state government unconstitutional, illegal and therefore null and void.

The 1999 constitution entrenched decentralization of education; decentralization is a logical and effective means of dealing with the growth problems in organizational management. This is so because as an organization grows in sizes, the complexities and problems facing its centralized management grows at a faster rate. Durosaro (2000) on the problems of decentralization of education, emphasized overlapping of jurisdiction, lack of direction and effective leadership, duplication of functions, waste of resources, conflict of authority and the power struggle, several government functionaries are independent of one another in educational management.

Nigeria is currently witnessing proliferation of University as Federal, State or Private individuals and organizations are exercising their constitutional rights in the establishment of school. JAMB (2003) revealed that there are; “Education for all” was a slogan that pervaded the nation. How egalitarian is the education when a Secondary School – King’s College could introduce Computer Studies into its curricula and even acquired some Computers whereas some schools as still faced with inadequate supply of chairs, chalk and classroom buildings.

Unity is becoming a theoretical and a rather elusive virtue particularly among the educated elites. it is common practice now to pull out the son of soil joker card to knock off other Nigerians from service competition at State and Local Government levels.

The phrases such as “quota system ,federal character educationally disadvantaged states backward states ecologically disadvantaged regions are statements negating the implementation of the new policy on education which has resulted in discipline. Tarfa (1979) as explained by Olutola (1983) described indiscipline as a social cankerworm which has eaten deep into the entire fabric of our society. It manifests itself in different forms like bribery, greed, ostentation, indolence, disloyalty, selfishness, lack of respect and consideration for elders.

Twenty-four (24) Federal Universities, nineteen (19) state universities, six (6) privately owned Universities and 15 other degree awarding institutions (JAMB Brochure 2003/2004).

The nation’s dilemma has always been how to reconcile economic rationality and political expediency with reference to vital decisions affecting the life of the nation. If this proliferation in education is not checked, it may lead to low academic standard, glorified secondary schools going by the name of universities, inferior caliber of academic and professional personnel and inadequate funding.

For democracy to thrive every citizen should be given equal opportunities to develop his talent. This implies that Universities would be established close to the people. Also the object of equal opportunities for all is the production of individuals who seize the opportunity to develop themselves to the highest level.

As it is entrenched in the constitution, the bone of contention is when equal opportunity should start. Equality has been termed as the dearest of democratic graces. However, those who adhere to this principle are often accused of being committed to some empirical generalization about the nature of man. The term equity therefore has to be made explicitly and unless this is done, it is vacuous. The principle of equality limits the principle of liberty and the freedom of the sovereign individual to those acts which at least do not hurt others.

The 1999 constitution entrenched Federal Character in the educational policy. This brings into limelight issues like access, quota system, educationally disadvantaged, educationally advantaged, catchment areas and cut off scores. This principle however, is detrimental to the principle of justice, fair play, democracy and prudentially.

It has given room to mediocrity at the expense of meritocracy. FGN in 2000 approved the new admission guidelines into the University as follows: Merit 45%, Catchment Area 35% and educationally disadvantaged state 20%. the clause on the National Policy on Education (1998 Rev) which state that Government shall continue to respect the

traditional areas of academic freedom for the institution as long as these areas are in consonance with national goals, had made previous governments to encroach in the academic freedom and autonomy of the University.

The history of constitution in Nigeria has been loaded by controversies and contentions from the civil society. These controversies have not been helped by years of military rule the curtailment of democratic rights and undue influences on political and judicial institutions. The various constitutions therefore remain elitist document. The vast majority of Nigerians have never seen or read the constitution much less see it as the basis of governance and the protection of their democratic rights. It could be argued that the numerous conflicts and crises at the socio-economic, religious and political levels are the absence of constitutions.

The issue of free education at all levels implies that it kills or at least discourages private contribution to education, local initiative and community interest and direct involvement in the management of the educational enterprise. Almost all the educational systems in the world recognize education as a public and private enterprise and one in which a local community in particular must have a direct stake. The problem of free education is that it is very expensive venture.

The recurrent cost of education alone is constantly increasing in the face of inflation, high cost of living and lack of basic social services (Sofoluwe, 1991).

Democratic education implies making education available for all. it has to be noted that without education, an individual in a modern society is unlikely to be able to proceed very far in developing the particular aspect of a worthwhile form of life to which he is suited. Moreover, democratic education being committed to liberty, fairness and consideration of interest also implies that as much as freedom of choice should be given to parents and children as is consistent with the pursuit of objectives.

Moreover, in any society, progress depends on development of leadership. True leadership should be renewed from the ranks of the unknown and not necessarily from the small group of families already known and powerful.

If one class possesses all the wealth and education while the laboring class remains poor and ignorant, labour will inevitably servile to capital and the society will then be divided into distinctive permanent classes.

But, if education is widely and equally diffused according to ability to profit rather than wealth, children of all classes may attain their maximum potential and society will gain from the fuller utilization of its human resources.

A government that spends more than 20% of its budget on education is already overspending. The changes are that other social services would suffer and the education received would be rendered meaningless. Of what use is education to the educated in a situation where there are no infra-structural facilities – pipe borne water, electricity, hospital, road and communication.

The clause “Government’s ultimate aim to make education free at all levels and encourage the participation of individual and other organization” needs to be criticized. Now the voluntary agencies are asking government to return to them all the old schools that had been taken over. Are there any indications by any voluntary agencies of being willing to put good money into putting new schools within the premises and now that education is moving along the smooth wheels of government ultimate objective being to make education free at all levels. It will be surprised to find any such voluntary agency who in modern times would be so magnanimous as to invest without any hope of some kind of returns because education being free implies non-payment of fees by students. The issue is critical because unless government is going to make money available to voluntary agencies to invest in this kind of expensive project, the chances of their participation are slim.

The three-tier level of responsibility for the management, control and supervision of education are well thought out and relevant. One must however remark that the bane of this country is that we always plan on paper without bringing the realities of implementation to the grassroot level where the action really is and the sum total effect of all the grandiose and ambitious plans are consummated. There can be no implementation of the policy on education without school as a unit of administration being considered in details.

There is general lack of systematic and coordinated planning of educational programmes. This has resulted in inefficiency, great under-utilization of resources and administrative staff and poor output and dysfunctionalization in the administrative machinery in the state Ministry of Education.

Jega (1990) emphasized the universities sickness that “it has almost collapsed and this resulted into high rate of tension rancor and dispute between university authorities and the staff of the university.

Adesina (1984) on the growth without development emphasized that development has been hampered by the following forces:

- 1) An over politicized educational system resulting in mass production of certificate holders who are unemployed and unemployable.

- 2) Neglect of Agriculture in an effort to achieve popularity in the area of education which has become more of a vote-catcher than a social service.
- 3) An unnecessary competition with federal Government resulting in the establishment and proliferation of euphoric projects with high revenue consumption rates like State Universities, numerous polytechnics and Colleges of education, television stations, newspapers and breweries.
- 4) Widespread redundancy of the products of the educational system as well as the failure to pay the salaries of those in employment.

Lamenting the state of education financing in Nigeria, the World Bank (1990) asserted that “ the average people in Nigeria is given N16 worth of education material yearly, unlike his counterparts in the West that has N415 worth of materials. The erroneous classification of education expenditure as social or welfare spending. Pupils’ population growth rate had outstripped the government’s relative low education rate and thriving business sector not encouraged to support the cost of training. Nutritional deficiency amongst the pupils in Nigeria impedes learning in early childhood”.

### **Making University Management Democratic**

The essential mark of democracy is the respectful treatment of people as persons. This should remain so, if the institution is to be democratic. In this case, the Governing Council, the senate, Vice Chancellor, the Heads of Departments, Principal Officers has a major role to play. The success or failure of an educational organization depends very much upon the style that the leader adopts to get the other personnel to work with him. The need for winning the whole-hearted cooperation of people should thus be the central and ever present concern of any administrator. In doing this, the leader has at his disposal various styles of management which range on a continuum from complete domination and exploitation on one end to extreme liberalism and permissiveness on the other.

A constitutional administration is one in which the power of command, decision making, communication, planning and coordinating is held by a large number of people and is subject to the will the educational stake-holders.

Democratic leadership involves definite activity on the part of the leader which is aimed at increasing the effectiveness and improvement of the personnel in various ways.

The leader operates within established policies, improves human relations, encourages free discussion assists in human growth and development coordinates functions and activities provides advice and assists in modern management techniques.

The democratic administrator should share with his subordinates, the decision making policies about work planning assignment and scheduling.

The assumption of democratic leadership is that the formulation of policy should involve those who are to be influenced by it. For how constitutional is an institution where only the administrator takes all decisions and imposes same on the rest? How democratic is a school situation where students are not allowed to participate in decision which affects their welfare? There is no doubt that the causes of unrest and disturbance in many institutions are related to the communication gap in the super-ordinate/subordinate relationship.

An adoption of the democratic style of administration allows the administration to understand the dynamics of group work and how to utilize the efforts of the group to attain the educational objectives of the institution. Moreover, as a result of democratic deliberations on institutional activities, a healthy rapport is generated among members in a give and take atmosphere which is conducive to objective consideration of the problems of the institution. Each group while friendly and not too formal, regards and deals with other group with respect and dignity.

Finally, by allowing educational stake holders to participate in school affairs, the experience and judgments of the people are not only made available but also, these people become much better informed concerning the philosophy, objectives and problems of the

### **University organization.**

#### **Recommendation**

School administrators should be on guard against retaining unnecessary restriction on students' freedom. The Bill on the University Autonomy at the National Assembly should be passed into law by the newly elected National Assembly members.

Academic freedom and autonomy of the University system must be fully recognized and implemented. The National Policy on Education (1998 Rev) section 49 recommends thus:

- a) The internal organization and administration of each institution shall be its own responsibility.
- b) The traditional area of academic freedom for the institutions are:
  - i. Select their students except where the laws prescribes
  - ii. Appoint their staff
- c) Teach select area of research
- d) Determine the content of courses

Universities should be allowed to pursue their academic programmes of teaching, research and community service without undue interference from government.

The orientation of University administrators in the governance, management and discipline must change for better. All segments of the University – Academic and Non-academic staff, students and the public must be involved in the administration of the

University system. This democratization implies that these segments must be involved in the decision making process.

In the area of professional knowledge of law the school administration, they do not need law degrees. The administrators do not need however, an understanding of the areas of law that impact on institution sufficient for them to be able to implement preventive legal risk management practices. Similarly, Vice Chancellors, professional knowledge should be sufficient to dispel unnecessary or incorrect misconceptions they might have of the law as it affects the administration.

Proprietors of University must respect fundamental human rights as entrenched in the constitution. Basic human rights as stated in Chapter IV of 1999 constitution, right to life, dignity of human person, personal liberty, freedom of expression, freedom of movement must be respected. Tension would be reduced and thus promotion of teaching, research and community service for which Universities are established would be maintained.

In planning education at Federal and State levels, a clear distinction must be established between growth (expansion of sheer size) and development (a manifestation of functional quality).

There is a need for education departments to provide on-going and clearly focused in-service courses on school law throughout administrators' careers. Such courses need to be held frequently and at various locations.

### **Conclusion**

In this paper, an attempt has been made to look into the facets of theoretical framework of 1999 constitution and the implications to the management of university education in Nigeria.

Thus, the constitution lays down the political institution that allowed for functionality. It is of the utmost importance that the community of stakeholders must have been well prepared for them to participate effectively.