

Lawlessness of Visitors of State Universities in the Appointment and Sacking of Vice-Chancellors

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The procedure for the appointment and removal of Vice-Chancellors of universities is a matter of great interest to our union. It is a key element of university autonomy the struggle for which ASUU has sacrificed in the past. We have gone on strike, our members have been dismissed and even imprisoned in the past in the effort to promote and defend university autonomy. No sacrifice and effort will be too great on our part to defend this principle which is at the heart of the essence of a university. This is why we are particularly alarmed and worried at the emerging trend of lawlessness on the part of some Visitors to state universities in the appointment and removal of Vice-Chancellors. It appears that these Visitors are intent on returning the university to a state of anarchy and arbitrariness from which we have fought, at great cost, to rescue the university.

At the Ambrose Alli University (AAU), Ekpoma in Edo State, the Governor of the State and Visitor to the University, Comrade Adams Oshiomhole sacked the sitting Vice-Chancellor in clear violation of the law governing the university. At the University of Ado-Ekiti, the Governor of the state and Visitor to the University, Dr. Kayode Fayemi sacked the Vice-Chancellor without following the statute of the university.

The reason given in each case by the Visitor was that the extant university law purportedly gave them powers to sack the Vice – Chancellors without recourse to due process. ASUU has studied the statutes of the universities involved and can say without equivocation that the Visitors acted illegally, in breach of their powers and in utter disregard of civilised norms. It is an established fact that even when local laws confer the powers of God upon a Visitor to a state university, these powers cannot be exercised in isolation of the superior provisions of the Constitution of the Federal Republic of Nigeria. Thus a Visitor to a state university who hides under the argument that he or she is not bound to follow due process in destroying the careers of academics and the growth of the university will be exposed to the superior logic and provision in Section 36 of the Constitution of the Federal Republic of Nigeria which guarantees to each citizen the inalienable right to fair hearing.

ASUU considers the action of the respective Visitors as a call to anarchy in the university system and as a direct attack on our struggle for university autonomy. By their actions, the Visitors have violated Chapter 5 of the 2009 ASUU – Government Agreement. It also ridicules Council which ought to play a pivotal role in these matters. It makes Council impotent. If allowed to continue, the stability of the appointment of Principal Officers of the University, Council itself and staff may become subject to the whims and caprices of the Visitor and depending upon his mood, the university as we know it may cease to exist. Even students may be admitted and expelled by the Visitor. The actions are therefore extremely dangerous.

ASUU therefore condemns in the strongest of terms the removal of the Vice – Chancellors of Ambrose Alli University, Ekpoma and Ado –Ekiti University, Ado – Ekiti by the respective Visitors in utter disregard of the time honoured and civilized principles of fair hearing and due process. ASUU is determined to fight these cases of violent subversion of university autonomy and the rights of individuals as citizens and employees to fair hearing and due process.

ASUU calls upon Comrade Adams Oshiomhole and Dr. Kayode Fayemi to reverse the decision to sack the Vice-Chancellors and refer whatever grievances they have against the Vice-Chancellors to the Governing Council. If the Governors have no confidence in the Councils, they should dissolve the Councils and immediately set up new ones. Whatever the Governors decide to do, they must allow the Councils to operate as Councils.